



**ZONING CODE
CHAPTER 66
OF THE
MUNICIPAL CODE
OF THE
VILLAGE OF
SISTER BAY, WISCONSIN**

Last Revised:
November 17, 2016
See Page 166 for summary of changes.

VILLAGE OF SISTER BAY ZONING CODE

VILLAGE OF SISTER BAY ZONING CODE

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SECTION 100 - STATUTORY AUTHORITY AND PURPOSE

1 **Sec. 66.0101 Authority**

2 These regulations are adopted under the authority
3 granted by sections 61.35, 62.23(7), 62.231 and
4 87.30 of the Wisconsin Statutes. Therefore, the
5 Village Board of the Village of Sister Bay, Wiscon-
6 sin does ordain as follows:

7 **Sec. 66.0102 Purpose**

8 The purpose of this chapter is to promote the
9 health, safety, aesthetics and general welfare of
10 this community.

11 **Sec. 66.0103 Intent**

12 It is the general intent of this chapter to regulate
13 and restrict the use of all structures, lands, and
14 waters; and to:

- 15 (a) Regulate lot coverage and the size and loca-
16 tion of all structures so as to prevent over-
17 crowding and to provide adequate sunlight,
18 air, sanitation, and drainage;
- 19 (b) Regulate population density and distribution
20 so as to avoid sprawl or undue concentration
21 and to facilitate the provision of adequate
22 public services and utilities;
- 23 (c) Regulate parking, loading and access so as to
24 lessen congestion in and promote the safety
25 and efficiency of the streets, highways and
26 waterways;
- 27 (d) Secure safety from fire, flooding, panic, pollu-
28 tion, contamination and other dangers;
- 29 (e) Facilitate the adequate provision of transpor-
30 tation, water, sewerage, schools, parks and
31 other public requirements;
- 32 (f) Provide adequate light and air, including ac-
33 cess to sunlight for solar collectors;
- 34 (g) Assure the protection of groundwater,
- 35 (h) Protect the traffic-carrying capacity of existing
36 and proposed arterial streets and highways;
- 37 (i) Stabilize and protect existing property values;
- 38 (j) Further the appropriate use of land and con-
39 servation of natural resources;
- 40 (k) Preserve and promote the beauty of the
41 community;
- 42 (l) Implement those municipal, county, water-
43 shed, and regional comprehensive plans or
44 plan components adopted by the Village of
45 Sister Bay;
- 46 (m) Provide for the administration and enforce-
47 ment of this chapter and to provide penalties
48 for its violation.

49 **Sec. 66.0104 Abrogation and Greater Re-**
50 **strictions**

51 It is not intended by the provisions of this chapter
52 to repeal, abrogate, annul, impair or interfere with
53 any existing easements, covenants, deed re-
54 strictions, agreements, ordinances, rules, regula-
55 tions, or permits previously adopted or issued pur-
56 suant to laws. Except as otherwise provided in this
57 chapter, wherever this chapter imposes greater re-
58 strictions, the provisions of this chapter shall gov-
59 ern.

60 **Sec. 66.0105 Interpretation**

61 In their interpretation and application, the provi-
62 sions of this chapter shall be held to be minimum
63 requirements and shall be liberally construed in
64 favor of the Village and shall not be deemed a
65 limitation or repeal of any other power granted by
66 the Wisconsin Statutes.

67 **Sec. 66.0106 Severability**

68 If any section, clause, provision or portion of this
69 chapter is adjudged unconstitutional or invalid by
70 a court of competent jurisdiction, the remainder
71 of this chapter shall not be affected thereby.

72 **Sec. 66.0107 Title**

73 This chapter shall be known as, referred to or cit-
74 ed as the "Zoning Chapter of the Municipal Code
75 of Ordinances (Zoning Code), Village of Sister
76 Bay, Door County, Wisconsin."

77 **Sec. 66.0108 Adoption**

78 This code was adopted as Ordinance No. 102-
79 110904 on November 9, 2004 and was effective
80 upon publication on November 16, 2004.

81

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0108 ADOPTION

SEC. 66.0108 ADOPTION

1

VILLAGE OF SISTER BAY ZONING CODE

SECTION 200 - JURISDICTION

1 **Sec. 66.0201 Jurisdiction**

2 The jurisdiction of this chapter shall include all
3 lands and waters within the corporate limits of the
4 Village of Sister Bay.

5 **Sec. 66.0202 Compliance**

6 The use of any land or water; the size, shape and
7 placement of lots; the use, size, type and location
8 of structures on lots; the filling and grading of any
9 land; the cutting of shore land cover; the regula-
10 tion of signs, manufactured homes, trailers and
11 parking lots; the consolidation or splitting of par-
12 cels; and the subdivision of lots shall be in full
13 compliance with the terms of this chapter and
14 other applicable regulations. The construction of
15 buildings and structures, or any addition thereto,
16 and the changing of any land use shall require a
17 zoning permit unless otherwise expressly exclud-
18 ed from the requirement of this chapter. No struc-
19 ture, land, or water shall hereafter be used or de-
20 veloped (as "development" is defined in section
21 66.2100 [See page 172] of this chapter) and no
22 structure or part thereof shall hereafter be located,
23 erected, moved, reconstructed, extended, en-
24 larged, converted, or structurally altered except in
25 conformity with the regulations herein specified
26 for the district in which it is located; except that in
27 residence districts, a lot of record as of November
28 16, 1973 even though not meeting the require-
29 ments of this chapter as to area and width, may be
30 used for single family residence purposes.

31 **Sec. 66.0203 Municipalities and State Agen-**
32 **cies Regulated**

33 Unless specifically exempted by law all cities, vil-
34 lages, towns, counties, school districts, vocational
35 school districts and other public entities are re-
36 quired to comply with this chapter and obtain all
37 required permits. State agencies are required to
38 comply if section 13.48(13) of the Wisconsin
39 Statutes applies. The construction, reconstruction,
40 maintenance and repair of state highways and
41 bridges by the Wisconsin Department of Trans-
42 portation are exempt from compliance when Sec-
43 tion 30.12(4)(a) of the Wisconsin Statutes applies,
44 including subsequent amendments to those rules..

45 **Sec. 66.0204 Annexation**

46 All territory annexed by the Village shall become
47 part of the CS-1 district until definite boundaries
48 and regulations are recommended by the Plan
49 Commission and adopted by the Village Board,
50 such adoption to be completed within 90 days of
51 the annexation.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0204 ANNEXATION

SEC. 66.0204 ANNEXATION

1

VILLAGE OF SISTER BAY ZONING CODE

SECTION 300 DISTRICTS

1 Sec. 66.0300 Establishment

2 For the purpose of this chapter, the Village of Sis-
3 ter Bay is hereby divided into ten basic use dis-
4 tricts and four overlay districts as follows:

- 5 • Countryside (CS-1)
- 6 • Single-Family Residence District (R-1)
- 7 • Multiple-Family Residence District (R-2)
- 8 • Large Lot Residence District (R-3)
- 9 • Small Lot Residence District (R-4)
- 10 • General Business District (B-1)
- 11 • Downtown Business Transition District (B-
12 2)
- 13 • Downtown Business District (B-3)
- 14 • Institutional District (I-1)
- 15 • Park/Recreation District (P-1)
- 16 • Wetland Overlay District (W-1)
- 17 • Planned Unit Development Overlay Dis-
18 trict (PUD)
- 19 • Highway 42 and Highway 57 Landscape
20 Setback Overlay District (HL)
- 21 • Bluff Protection Overlay District (BP)
- 22 • Wellhead Protection Overlay District
23 (WHP)
- 24 • Ridges and Swales Overlay District (RS-1)
- 25 • Restaurant Overlay District (RO-1)

27 (a) Boundaries. Boundaries of these districts
28 are hereby established as shown on the
29 maps entitled "Village of Sister Bay Official
30 Zoning Map" which map accompanies and
31 is herein made a part of this chapter. All
32 notations and references shown on the
33 map are as much a part of this chapter as
34 though specifically described herein. This
35 chapter hereby incorporates herein any fu-
36 ture changes or any later zoning maps that
37 may be adopted by ordinance of the Vil-
38 lage Board.

39 (b) The district boundaries in all districts, ex-
40 cept the overlay districts shall be construed
41 to follow corporate limits; U.S. Public Land
42 Survey lines; lot or property lines; center-
43 lines of streets, highways, alleys and ease-
44 ments. Where the district boundary is par-
45 allel to corporate limits, the centerline or
46 right-of-way of a street, the district bounda-
47 ry shall be determined by the dimension
48 noted on the zoning map, or where said
49 dimension is not noted, by the scale con-
50 tained on the zoning map.

- 51 (c) Boundaries of the Wetland Overlay District
52 (W-1) are based on the Wisconsin Wetland
53 Inventory Maps for the Village, dated July
54 1, 1992 or the most current map. The wet-
55 lands included as W-1 are those wetlands
56 that are two or more acres in area; and are
57 located within 300 feet of a navigable riv-
58 er, within 1,000 feet of a lake, or within
59 the 100-year recurrence interval flood-
60 plain. These boundaries are for illustrative
61 purposes only. The actual boundaries shall
62 be those established by a field staking of
63 the particular wetland, followed by a sur-
64 vey and legal description of the wetland.
- 65 (d) Vacation of public streets and alleys shall
66 cause the vacated land to be automatically
67 placed in the same district as the abutting
68 property to which the vacated land reverts.
- 69 (e) Annexations subsequent to the effective
70 date of this chapter shall be placed in the
71 Countryside district (CS-1), unless the an-
72 nexation chapter temporarily places the
73 land in another district. Within one year,
74 the Plan Commission shall evaluate and
75 recommend a permanent classification to
76 the Village Board.
- 77 (f) Annexations containing shorelands shall be
78 governed in the following manner:
79 Pursuant to section 59.971(7) of the Wis-
80 consin Statutes, any annexation of land af-
81 ter May 7, 1982, which lies within
82 shorelands, as defined herein, shall be
83 governed by the provisions of the Door
84 County Zoning Ordinance until such time
85 that the Village adopts an Ordinance that is
86 at least as restrictive as the Door County
87 Zoning Ordinance. Said regulations shall
88 be administered and enforced by the Vil-
89 lage of Sister Bay Zoning Administrator.

90 Sec. 66.0301 Zoning Map

91 A certified copy of the Zoning Maps shall be
92 adopted and approved with the text as part of this
93 chapter and shall bear upon its face the attestation
94 of the Village President and the Village Clerk-
95 Treasurer and shall be available to the public in
96 the office of the Village Clerk. Changes thereafter,
97 to the general zoning districts, shall not become
98 effective until entered and attested on the certified
99 copy.

100 Sec. 66.0302 Use Restrictions

101 The following use restrictions and regulations
102 shall apply:

- 103 (a) Principal uses. Only those principal uses
104 specified for a district, their essential ser-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0303 SITE AND LOT RESTRICTIONS

SEC. 66.0303 SITE AND LOT RESTRICTIONS

- 1 vices, and the following uses shall be per- 56
2 mitted in that district. 57
- 3 (b) Accessory uses. Accessory uses and struc- 58
4 tures are permitted in any district, but not 59
5 until their principal structure is present or 60
6 under construction. Residential accessory 61
7 uses shall not involve the conduct of any 62
8 business, trade, or industry, except home 63
9 occupations and professional home offices 64
10 as defined in this chapter. 65
- 11 (c) Conditional uses and their accessory uses 66
12 require review, public hearing and approv- 67
13 al by the Plan Commission in accordance 68
14 with section 66.1535 [See page 156] of 69
15 this chapter. 70
- 16 (d) Temporary uses may be permitted by the 71
17 Zoning Administrator and the President for 72
18 a period of 14 days or as hereinafter pro- 73
19 vided. Temporary use permits for longer 74
20 periods may be issued by the Plan Com- 75
21 mission after review of site and operation 76
22 plans. Special requirements may be im- 77
23 posed, but not limited to parking, sanitary 78
24 facilities, lighting, and hours of operation. 79
25 No temporary use listed herein shall be 80
26 conducted within the street right-of-way. 81
27 Temporary uses permitted under this sec- 82
28 tion may be allowed one temporary sign 83
29 not to exceed 24 square feet in area on one 84
30 side and 48 square feet in area on all sides. 85
31 All buildings, tents, equipment, supplies 86
32 and debris shall be removed from the site 87
33 within ten days following the temporary 88
34 activity. Temporary uses permitted under 89
35 this section include: 90
- 36 (1) Real estate sales, rental field offices 91
37 or model homes may be permitted 92
38 in any residential district. 93
- 39 (2) Temporary structures, including 94
40 mobile home units, may be permit- 95
41 ted in any business or institutional 96
42 district. Such temporary structure 97
43 may be used as a business, institu- 98
44 tional or professional office during 99
45 or immediately prior to the con- 100
46 struction of a permanent structure. 101
- 47 (3) Shelters for materials and equip- 102
48 ment being used in the construction 103
49 of a permanent structure or public 104
50 utility may be permitted in any dis- 105
51 trict. The Zoning Administrator or 106
52 Plan Commission may require that 107
53 storage areas be screened to prevent 108
54 a view of materials or equipment 109
55 from adjacent properties. 110
111
- (4) Flea markets, concerts, festivals and 56
outdoor group assemblies may be 57
permitted in a B-1, B-2 or B-3 dis- 58
trict. 59
- (5) Circuses, carnivals and animal 60
shows may be permitted in a B-1, B- 61
2 or B-3 district. The Plan Commis- 62
sion may limit or prohibit the dis- 63
play of dangerous animals such as 64
tigers or snakes. 65
- (6) Christmas tree sales may be permit- 66
ted in a B-1, B-2 or B-3 district for 67
not more than 42 days. 68
- (7) Farmers markets may be permitted 69
in a B-1, or CS-1 district. 70
- (8) The temporary sale of goods from a 71
truck, trailer, table or tent shall only 72
be permitted as part of a festival 73
permit issued by the Village Board. 74
(Amended Ordinance 143-081208) 75
- (9) A property owner may allow camp- 76
ing on their land for up to 72 hours 77
as long as bathroom facilities are on 78
the premises. 79
- (10) Because it is difficult to enumerate 80
all temporary uses that may occur in 81
the Village, any other use which the 82
Plan Commission finds to be similar 83
to other temporary uses permitted in 84
a given district, will not be disrupt- 85
ive to the neighborhood, and will 86
not create a hazard to traffic in a 87
neighborhood may be permitted. 88
The Plan Commission may impose 89
additional operational or construc- 90
tion conditions on such temporary 91
uses when it is deemed necessary. 92

Sec. 66.0303 Site and Lot Restrictions

- (a) Suitability. No land shall be used or struc- 94
ture erected where the land is unsuitable 95
for such use or structure by reason of 96
flooding, concentrated runoff, inadequate 97
drainage, adverse soil or rock formation, 98
unfavorable topography, low percolation 99
rate or bearing strength, erosion suscepti- 100
bility, or any other feature likely to be 101
harmful to the health, safety, prosperity, 102
aesthetics, and general welfare of this 103
community. The Village Zoning Adminis- 104
trator, in cooperation with the Village En- 105
gineer, shall, in applying the provisions of 106
this section, recite in writing the particular 107
facts upon which he/she bases his/her con- 108
clusion that the land is not suitable for cer- 109
tain uses. The applicant shall have an op- 110
portunity to present evidence contesting 111

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0303 SITE AND LOT RESTRICTIONS

SEC. 66.0303 SITE AND LOT RESTRICTIONS

- 1 such unsuitability if he/she so desires. 57
2 Thereafter the Plan Commission may af- 58
3 firm, modify or withdraw the determination 59
4 of unsuitability. In addition: 60
- 5 (b) Minimum lot sizes. Lots created after the 61
6 adoption of the ordinance from which this 62
7 chapter is derived shall meet the minimum 63
8 area requirements for each district as de- 64
9 fined in sections 66.0310 through 66.0331. 65
- 10 (c) Minimum lot width. The minimum lot re- 66
11 quirement shall apply at the building set- 67
12 back line and at the ordinary high-water 68
13 mark. 69
- 14 (d) Substandard lots. If two or more substand- 70
15 ard lots have the same ownership as of 71
16 November 16, 1973, the lots involved shall 72
17 be considered an individual parcel for the 73
18 purpose of this chapter. 74
- 19 (e) Public streets. All lots shall abut upon a 75
20 public street, and each lot shall have a 76
21 minimum lot width measured at the street 77
22 setback line as specified in each district, 78
23 but not less than 65 feet. The required min- 79
24 imum lot width shall be maintained for at 80
25 least 30 feet beyond the street setback line 81
26 for construction of the principal structure. 82
- 27 (f) Principal structure location. All principal 83
28 structures shall be located on a lot; and on- 84
29 ly one principal structure shall be located, 85
30 erected or moved onto a lot in single- 86
31 family residential districts. The Plan Com- 87
32 mission may permit more than one struc- 88
33 ture per lot in other districts where more 89
34 than one structure is needed for the orderly 90
35 development of the parcel. Where addi- 91
36 tional structures are permitted, the Plan 92
37 Commission may impose, but not limited 93
38 to additional yard requirements, landscap- 94
39 ing requirements, or parking requirements, 95
40 or require a minimum separation distance 96
41 between principal structures. 97
- 42 (g) Lots abutting other districts. Lots abutting 98
43 more restrictive district boundaries shall 99
44 provide side and rear yards not less than 100
45 those required in the more restrictive abut- 101
46 ting district. The street yards on the less re- 102
47 strictive district shall be modified for a dis- 103
48 tance of not more than 60 feet from the 104
49 district boundary line to equal the average 105
50 of the street yards required in both districts. 106
- 51 (h) Buffer yard. A buffer yard shall be created 107
52 and maintained around all business dis- 108
53 tricts which abut upon residential districts 109
54 and/or which are adjacent to limited ac- 110
55 cess arterial streets and highways, which 111
56 abut upon residential districts. The Plan 112
- Commission may also require a buffer yard
around business districts abutting park and
institutional districts. Buffer yards shall be a
minimum of 20 feet in width; shall be in
addition to the required street yards, side
yards, and rear yards; and shall screen
business uses from adjoining lands in such
a manner that:
- (1) If the buffer yard is composed en-
tirely of plant materials, it shall be
of sufficient initial depth and height
and of such varieties as to provide
adequate visual screening within no
more than two years and during all
seasons of the year.
- (2) Where architectural walls or fences
are used, sufficient landscaping
shall be used in conjunction with
such wall or fence to create an at-
tractive view from the residential
side, and all walls and fences shall
be maintained in a structurally
sound and attractive condition. Any
wall or fence shall be not less than
four feet or more than six feet in
height.
- (3) All landscaping shall be maintained
by the owner or operator to the sat-
isfaction of the Zoning Administra-
tor.
- (4) Where the land adjacent to the
buffer yard is a parking lot, the buff-
er yard shall be sufficiently opaque
to prevent the penetration of head-
light glare. Overhead lighting in-
stalled in or adjacent to a buffer
yard shall not throw any rays onto
adjacent residential properties.
- (5) No signs shall be permitted on or in
any part of the buffer yard.
- (i) Structures not buildings. Structures which
are not buildings and which are six inches
or more in height from the surface of the
ground shall be subject to the setback and
other dimensional requirements of this
chapter. Excluded are fences up to six feet
in height, public utility poles and signs, ex-
cept where provisions of this chapter spe-
cifically apply. For the purposes of this
chapter, decks, tennis courts, parking lots,
outdoor seating for taverns or general res-
taurants, fast food restaurants, drive-in res-
taurants and take-out restaurants, swim-
ming pools (above-ground and in-ground
pools), basketball courts and other similar
uses shall be considered structures, shall

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0304 SETBACK REQUIREMENTS FROM THE WATER

SEC. 66.0307 SPECIAL SETBACK REQUIREMENTS

1 require a permit, and shall be subject to
2 the yard and setback requirements for ac-
3 cessory buildings. (Amended Ordinance
4 172-081010)

5 **Sec. 66.0304 Setback Requirements from the** 6 **Water**

7 For lots that abut on navigable waters, there shall
8 be setbacks from the ordinary high-water mark of
9 such waters.

10 (a) Applicability in developed areas. In areas
11 with existing development patterns, struc-
12 tures close to the ordinary high-water
13 mark, except as provide in subsection (e)
14 and (f) below, shall be set back at least 30
15 feet from all points along the ordinary
16 high-water mark. The lowest floor level of
17 all structures shall be elevated at least two
18 feet above the ordinary high-water mark.
19 All structures, boathouses, accessory build-
20 ings allowed in (e) and structures not build-
21 ings shall comply with the applicable dis-
22 trict side yard setbacks.

23 (b) Applicability in undeveloped areas. In are-
24 as with no development pattern, structures
25 close to the ordinary high-water mark, ex-
26 cept as provide in subsection (e) and (f) be-
27 low, shall be set back at least 75 feet from
28 all points along the ordinary high-water
29 mark. The lowest floor level of all struc-
30 tures shall be elevated at least two feet
31 above the ordinary high-water mark. All
32 structures, boathouses, accessory buildings
33 allowed in (e) and structures not buildings
34 shall comply with the applicable district
35 side yard setbacks.

36 (c) Setback averaging in developed areas.
37 Where the two adjacent lots are occupied
38 by principal structures (excluding boat-
39 houses), the water setback shall be the aver-
40 age of the setbacks of the adjacent princi-
41 pal structures or 30 feet whichever is
42 less. When one adjacent lot is occupied by
43 a principal structure (excluding boathous-
44 es), the water setback shall be the average
45 of the setback of the adjacent principal
46 structure and 30 feet or 30 feet whichever
47 is less. The adjacent principal structures
48 must be within 100 feet of either side of
49 the proposed structure in order to use the
50 averaging method.

51 (d) Setback averaging in undeveloped areas.
52 Where two adjacent lots are occupied by
53 principal structures (excluding boathouses)
54 with high-water mark setbacks of 30 feet or

55 more, the water setback shall be the aver-
56 age of the setbacks of the adjacent princi-
57 pal structures. When one adjacent lot is
58 occupied by a principal structure (exclud-
59 ing boathouses) with a high-water setback
60 of 40 feet or more, the water setback shall
61 be the average of the setback of the adja-
62 cent principal structure and 75 feet. The
63 adjacent principal structures must be with-
64 in 100 feet of either side of the proposed
65 structure in order to use the averaging
66 method.

67 (e) Exceptions.

- 68 (1) Decks are allowed provided they do
69 not extend waterward more than 20
70 percent of the remaining setback.
- 71 (2) Boathouses shall not project beyond
72 the ordinary high-water mark.
- 73 (3) Stairways, elevated walkways,
74 ramps, lifts, fences, flagpoles, piers,
75 boat hoists.
- 76 (4) Utility poles, lines and related
77 equipment without permanent
78 foundations.
- 79 (5) Structures not buildings as defined
80 in section 66.0303(i) [See page 6]
- 81 (6) Signs as permitted starting with sec-
82 tion 66.0701 [See page 106]

83 (f) Parking lots. Parking lots shall be set back
84 at least 75 feet from all points along the
85 ordinary high-water mark. However, the
86 Plan Commission may with a conditional
87 use permit, grant modifications to a mini-
88 mum of 35 feet from all points along the
89 ordinary high-water mark for parking lots
90 only.

91 **Sec. 66.0305 Reduction**

92 No lot, yard, parking area, building area or other
93 space shall be reduced in area or dimension so as
94 not to meet the provisions of this chapter.

95 **Sec. 66.0306 Additions**

96 Additions in the front yard of existing structures
97 shall not project beyond the required setback for
98 the district in which they are located subject to
99 the limitations for averaging front setbacks as set
100 forth below.

101 **Sec. 66.0307 Special Setback Requirements**

102 (a) Average Front Setbacks. The required front
103 setback shall not be decreased below the
104 minimum setback for the district in which
105 it is located. However, if the principal
106 structures on abutting lots are set back
107 closer than the minimum, the front setback

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0307 SPECIAL SETBACK REQUIREMENTS

SEC. 66.0307 SPECIAL SETBACK REQUIREMENTS

1 of a proposed principal structure shall be
2 decreased to the average of the existing
3 front setbacks of the abutting structures on
4 each side. The adjacent principal structures
5 must be within 100 feet of either side of
6 the proposed structure in order to use the
7 averaging method. Note: For setback aver-
8 aging from the water, see section 66.0304
9 Setback Requirements from the Water on
10 page 8. (Amended Ordinance 120-061306)
11 (b) Corner Lot Setbacks. On a vacant through
12 or corner lot, either of the lot lines abutting
13 street right-of-way lines may be established
14 as its front lot line, except that where two
15 more through lots are contiguous and a
16 front lot line has been duly established, the
17 same street lot line shall thereafter be
18 deemed to be the front lot line of all such
19 contiguous lots. On a through lot, a front
20 yard shall be provided along any lot line
21 abutting a street. On a corner lot, the own-
22 er has the option of designating a side yard
23 and a rear yard of the two remaining yards
24 after the front yard and side yard abutting a
25 street have been identified; as long as one
26 is at least equal to the required side set-
27 back and the other is at least equal to the
28 required rear setback. (Amended Ordi-
29 nance 120-061306)
30 (c) Double Frontage Lot. Structures on lots
31 abutting two opposite streets shall be pro-
32 vided with a front setback and a rear set-
33 back. The Zoning Administrator shall select
34 where the front setback shall be applied
35 and where the rear setback shall be ap-
36 plied in a manner that prohibits access to a
37 double frontage lot from arterial streets.
38 The selected front setback area shall be re-
39 quired to comply with the front setback re-
40 quirements for the district in which the lot
41 is located. The selected rear setback area
42 shall be required to comply with the rear
43 setback requirements for the district in
44 which the lot is located and the rear set-
45 back area shall be screened from arterial
46 streets with fencing or landscaping, as may
47 be appropriate. Accessory structures may
48 be placed in the designated rear setback
49 area, but shall be located no closer to the
50 street right-of-way than the required set-
51 back for accessory structures. (Amended
52 Ordinance 120-061306)
53 (d) Large Project Setbacks. The Plan Commis-
54 sion may establish the front yard, side yard,
55 street yard, and rear yard setbacks for pro-
56 jects built in the R-2 district, all PUD pro-

57 jects and projects involving multiple build-
58 ings on a single parcel in B-1 district. The
59 various setbacks shall complement the ad-
60 jacent property's setbacks. (Amended Or-
61 dinance 120-061306)

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VILLAGE OF SISTER BAY ZONING CODE

RESIDENTIAL DISTRICTS

SEC. 66.0310 RSOD RESIDENTIAL SECOND DWELLING UNITS OVERLAY DISTRICT.

- 1 **Residential Districts** 55 dwelling unit in order for the condi-
2 **Sec. 66.0310 RSOD Residential Second** 56 tional use permit to be valid.
3 **Dwelling Units Overlay District.** 57 (3) Only one (1) second dwelling unit
4 Purpose and Intent. The Residential Second 58 may be allowed per lot. Driveway
5 Dwelling Units Overlay district (RSDO) is intend- 59 access shall be regulated by Section
6 ed to permit as a conditional use the construction 60 66.0406 of the Code.
7 and/or occupancy of a second dwelling unit is to 61 (4) The lot proposed for a second
8 allow, when all applicable standards have been 62 dwelling unit shall contain an exist-
9 met, a detached building designed as a second 63 ing primary dwelling unit, and must
10 dwelling unit or an addition to the primary dwell- 64 meet the minimum lot size for the
11 ing unit. The standards below apply to the follow- 65 respective zoning district.
12 ing residential districts including R-1, R-3, R-4 66 (5) The square footage of a second
13 and CS-1. 67 dwelling unit shall not exceed thirty
68 percent (30%) of the footprint of the
69 primary dwelling, excluding the
70 garage, or nine hundred (900)
71 square feet, whichever is larger. The
72 minimum size of the second dwell-
73 ing unit shall be at least three hun-
74 dred (300) square feet regardless of
75 the thirty percent (30%) rule.
14 (a) Definitions. For purposes of this section: 69
15 The term dwelling unit shall consist of and 70
16 include both the primary dwelling unit occu- 71
17 pied by the owner and the second 72
18 dwelling unit and together are viewed as 73
19 one single-family dwelling. 74
20
21 (1) A primary dwelling unit is defined 75
22 as a detached building designed for 76
23 and occupied by the owner as a 77
24 single-family dwelling unit. 78
25 (2) A second dwelling unit is defined as 79
26 a detached or attached dwelling 80
27 unit located on the same lot of a 81
28 primary dwelling unit that is occu- 82
29 pied by the owner as a single-family 83
30 dwelling unit. A second dwelling 84
31 unit shall have sleeping areas and a 85
32 $\frac{3}{4}$ or full bathroom, with or without 86
33 kitchen facilities, as specified in the 87
34 permit. 88
35 (b) Permits. A conditional use permit must be 89
36 obtained before a building and/ or occu- 90
37 pancy permit may be issued for any second 91
38 dwelling unit. When a conditional use 92
39 permit has been issued for a second dwell- 93
40 ing unit, the owner of the lot shall be re- 94
41 sponsible for payment of impact fees as re- 95
42 quired in Section 62.25. 96
43 (c) Standards. 97
44 (1) An applicant for such a conditional 98
45 use must comply with general ordi- 99
46 nances for conditional use permits 100
47 as required. 101
48 (2) A second dwelling unit may be 102
49 rented or leased separately from the 103
50 primary dwelling unit on the lot. 104
51 The owner of a lot containing a 105
52 primary dwelling unit and a second 106
53 dwelling unit must live either in the 107
54 primary dwelling or in the second 108 (d) Covenants and Restrictions. Prior to the is-
109 suance of any building, occupancy, or

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0310 RSOD RESIDENTIAL SECOND DWELLING
UNITS OVERLAY DISTRICT.

SEC. 66.0310 RSOD RESIDENTIAL SECOND DWELLING
UNITS OVERLAY DISTRICT.

1 conditional use permit for a second dwell-
2 ing unit, the lot owner shall record against
3 the deed to the subject property, restrictive
4 covenants that shall run with the land, in a
5 form approved by the Village Attorney, in
6 favor of and for the benefit of the Village,
7 which shall indicate that the occupancy
8 and/ or use of the second dwelling unit is
9 subject to and regulated by the Code of
10 Ordinances. A copy of the signed condi-
11 tional use permit for a second dwelling
12 unit shall be recorded, and attached there-
13 to and incorporated by reference, with the
14 covenants. The covenants shall prohibit
15 any sale or form of ownership transfer sep-
16 arate from the primary dwelling on the
17 same lot. Nothing in this section is intend-
18 ed to modify, amend or alter the legal ef-
19 fect of any conditions, covenants and re-
20 strictions, or other independent or private
21 deed restrictions that may be applicable to
22 a lot for which a second dwelling unit is
23 permitted under this section.
24 (e) Automatic Expiration. This section of the
25 Zoning Code shall automatically expire 36
26 months from the date of the adoption of
27 the enabling ordinance, which was May
28 14, 2013.
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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0310 RSOD RESIDENTIAL SECOND DWELLING
UNITS OVERLAY DISTRICT.

SEC. 66.0310 RSOD RESIDENTIAL SECOND DWELLING
UNITS OVERLAY DISTRICT.

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VILLAGE OF SISTER BAY ZONING CODE

- 1 **Sec. 66.0311 R-1 Single-Family Residence** 56
2 **District** 57
3 The Single-Family Residence district (R-1) is intended to provide a pleasant, safe and quiet residential environment of moderate density (minimum 20,000 square foot lots), free from traffic hazards or public annoyances. The district is only allowed in areas where public sewer and water services are available. 58-65
- 10 (a) Permitted Uses: 66
11 (1) Single-family dwellings. 67
12 (2) Licensed community and other living arrangements, which have a capacity for eight or fewer persons, subject to the limitations set forth in section 62.23(7)(i) of the Wisconsin Statutes. 68-75
18 (3) Licensed foster family homes subject to the regulations set forth in section 48.62 of the Wisconsin Statutes. 76
22 (4) Public parks. 77
23 (5) Essential services, municipal buildings and facilities. 78-80
- 25 (b) Permitted Accessory Uses: 81
26 (1) Accessory Uses and Structures. Detached garages shall not be used, rented or leased to any individual who is not the property owner or an occupant residing on the property. See section 66.0501 [See page 92] 82-87
32 (2) Ground-mounted and building-mounted earth station dish and terrestrial antennas. 88-90
35 (3) Home occupations and professional home offices. [See section 66.0501(d) page 92] 91-93
38 (4) Private swimming pools. 94
39 (5) Private tennis courts. 95
40 (6) Solar collectors attached to the principal structure. 96-97
42 (7) Any other usual and customary uses accessory to the above permitted uses as determined by the Zoning Administrator or his/her designee. 98-101
- 46 (c) Conditional Uses: 102
47 (1) Bed and breakfast establishments as provided for in Section 50.51(b) of the Wisconsin Statutes and Chapter HSS 197 of the Wisconsin Administrative Code. 103-107
52 (2) Licensed community and other living arrangements, which have a capacity of at least nine, but no more than 20 persons. 108-111
- (3) Licensed family day care homes subject to the regulations set forth in section 48.65 of the Wisconsin Statutes. 56-59
(4) Private parks and playgrounds. 60
(5) Utility substations, municipal wells, pumping stations and towers shall be a minimum of 50 feet from any side or rear lot line. 61-64
(6) Solar energy collectors erected as an accessory structure. 65
(7) Utilities requiring a building. 66
(8) Parking of a semi-tractor or other large trucks in accordance with Subsection 66.0405(b) [See page 88] of this chapter. 67-71
(9) Antennas over 35 feet tall. 72
(10) Churches. 73
(11) Accessory structures and garages (Amended 111715). 74-75
- (d) Lot Area and Width: 76
Lots shall be a minimum of 20,000 square feet in area and shall have a lot width of not less than 75 feet. Corner lots shall have a lot width of at least 110 feet. 77-80
- (e) Building Height, Area and Standards: 81
(1) No principal residential building or part of a principal residential building shall exceed 35 feet in height. No accessory building shall exceed the height specified in section 66.0501 [See page 92]. 82-87
(2) The total minimum floor area of a principal residential building shall be 900 square feet for a one-bedroom dwelling, 1,000 square feet for a two-bedroom dwelling and 1,200 square feet for a three or more bedroom dwelling. 88-90
(3) All principal residential buildings, excluding attached garages, shall have a minimum width of 24 feet for the main body of the house. 91-93
(4) The exterior walls of all principal residential buildings shall be covered by either stucco, cement siding, wood, wood clapboards, wood shakes, vinyl, steel or aluminum beveled siding, brick, stone or other masonry-type veneer materials or other similar materials. 94-101
(5) All principal residential buildings shall be placed on, and be attached to, a permanently enclosed foundation in accordance with the standards set forth in section 70.043(1) 102-111

VILLAGE OF SISTER BAY ZONING CODE

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| 1 | Wisconsin Statutes and chapter | 57 | of the length of the wall and a |
| 2 | ILHR 21, Wis. Admin. Code. | 58 | change in the materials, texture, or |
| 3 | (6) The total of the area of the building | 59 | or a permanent architectural feature |
| 4 | footprint of the principal residential | 60 | shall be provided. |
| 5 | building and all accessory buildings | 61 | (3) A detached garage shall be architec- |
| 6 | including the required parking, | 62 | turally compatible with the residen- |
| 7 | driveways and sidewalks shall not | 63 | tial building it serves. It shall be de- |
| 8 | exceed 80 percent of the lot area | 64 | signed and oriented to minimize the |
| 9 | and the balance shall be left as | 65 | visual effect of the scale or mass of |
| 10 | open space. (Amended Ordinance | 66 | the garage. Visual interest shall be |
| 11 | 159-120809) | 67 | created on all sides of the garage |
| 12 | (f) <u>Setbacks:</u> | 68 | that are visible from a public street |
| 13 | (1) There shall be two side setbacks for | 69 | through the use of landscaping, |
| 14 | all principal residential buildings to- | 70 | berming, architectural features, |
| 15 | taling at least 25 feet, with one be- | 71 | building materials, and/or orienta- |
| 16 | ing at least ten feet; and where a | 72 | tion. |
| 17 | side-entry garage exists, the setback | 73 | (4) In the R-2 and R-4 districts, attached |
| 18 | shall be at least 27 feet in width as | 74 | garages for multifamily develop- |
| 19 | measured from the closest point of | 75 | ments shall be designed and orient- |
| 20 | the garage door opening that is per- | 76 | ed so that they do not dominate the |
| 21 | pendicular to the side lot line. | 77 | front facade of the building to |
| 22 | (2) There shall be a minimum side set- | 78 | which they are attached. Attached |
| 23 | back of at least 100 feet for all | 79 | garages shall not occupy more than |
| 24 | churches. | 80 | 30% of the front facade of the build- |
| 25 | (3) Accessory buildings shall meet the | 81 | ing. Not more than six garage doors |
| 26 | same setbacks as principal buildings | 82 | may appear on any multifamily |
| 27 | in the district. Other accessory | 83 | building facade containing front |
| 28 | building requirements are listed in | 84 | doors, and the plane along such |
| 29 | section section 66.0501 [See page | 85 | garage doors shall be broken by an |
| 30 | 92] of this chapter. (Amended Or- | 86 | offset of at least two feet if more |
| 31 | dinance 207-100912) | 87 | than two garage doors are in a row. |
| 32 | (4) There shall be a minimum front set- | 88 | (5) In the R-1, R-3 and CS-1 districts at- |
| 33 | back of at least 70 feet from the | 89 | tached garages for single family |
| 34 | centerline of the street right-of-way. | 90 | homes shall be designed and ori- |
| 35 | (5) There shall be a minimum front set- | 91 | ented so that they do not dominate |
| 36 | back of at least 40 feet from the | 92 | the front facade of the building to |
| 37 | edge of the easement or the edge of | 93 | which they are attached. (Amended |
| 38 | pavement for all buildings not on a | 94 | Ordinance 1141-070808) |
| 39 | public street. | 95 | (6) Sidewalks not less than three (3) feet |
| 40 | (6) There shall be a minimum rear yard | 96 | in width shall be provided to all |
| 41 | setback of at least 40 feet from the | 97 | building entrances connecting the |
| 42 | rear property line. | 98 | building to the required parking ar- |
| 43 | (g) <u>Other Architectural Standards:</u> (Amended | 99 | areas or driveways. |
| 44 | Ordinance 137-021208) | 100 | (7) If a sidewalk exists along the public |
| 45 | (1) The Plan Commission shall approve | 101 | street(s) abutting the lot, then side- |
| 46 | the style and exterior design of | 102 | walk(s) shall be provided connect- |
| 47 | dwelling in subdivisions. The de- | 103 | ing the all buildings to the public |
| 48 | veloper shall designate specific lots | 104 | street. |
| 49 | for certain building designs to insure | 105 | (8) Street trees shall be provided along |
| 50 | that no two adjacent dwelling | 106 | all existing and new public right-of- |
| 51 | units/buildings shall look identical. | 107 | ways at a rate of at least one tree |
| 52 | (2) Any wall visible from a public street | 108 | per 40 feet. If a driveway leading to |
| 53 | that exceeds 50 feet in length shall | 109 | the parking area is longer than 100 |
| 54 | have a minimum of 20% of the | 110 | feet, trees shall also be planted |
| 55 | length of the wall projecting or re- | 111 | along at least one side of such |
| 56 | cessing at a minimum depth of 3% | 112 | driveway at the rate specified. All |

VILLAGE OF SISTER BAY ZONING CODE

- 1 tree species shall be approved by
- 2 the Plan Commission.
- 3 (9) All dwelling units must be served by
- 4 public streets and not private roads.
- 5 In the R-2 and R-4 districts, all
- 6 driveways and parking spaces must
- 7 be paved. In the R-1, R-3 and CS-1
- 8 districts all driveways must be
- 9 paved from the edge of abutting
- 10 street pavement to the edge of the
- 11 right of way or easement.
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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0311 R-1 SINGLE-FAMILY RESIDENCE DISTRICT SEC. 66.0311 R-1 SINGLE-FAMILY RESIDENCE DISTRICT

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE DISTRICT

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE DISTRICT

- 1 **Sec. 66.0312 R-2 Multiple-Family Residence**
2 **District**
- 3 The Multiple-Family Residence district (R-2) is intended to provide a housing area less spacious than the R-1 district by allowing multiple-family residences to be mixed with single-family residences and certain forms of institutional housing arrangements. The district is only allowed in areas where public sewer and water services are available.
- 11 (a) Permitted Uses:
- 12 (1) Single-family dwellings.
 - 13 (2) Licensed community and other living arrangements, which have a capacity for eight or fewer persons, subject to the limitations set forth in section 62.23(7)(i) of the Wisconsin Statutes.
 - 19 (3) Licensed foster family homes subject to the regulations set forth in section 48.62 of the Wisconsin Statutes.
 - 23 (4) Public parks.
 - 24 (5) Essential services, municipal buildings and facilities.
 - 26 (6) Residential condominiums, and multiple family dwelling units excluding commercial transient lodging.
 - 30 (7) Indoor institutional.
 - 31 (8) Boarding houses.
 - 32 (9) Licensed family day care homes subject to the regulations set forth in section §48.65 of the Wisconsin Statutes.
- 36 (b) Permitted Accessory Uses:
- 37 (1) Accessory Uses and Structures. Detached garages shall not be used, rented or leased to any individual who is not the property owner or an occupant residing on the property. See section 66.0501 [See page 92]
 - 43 (2) Ground-mounted and building-mounted earth station dish and terrestrial antennas.
 - 46 (3) Home occupations and professional home offices. [See section 66.0501(d) page 92]
 - 49 (4) Private swimming pools.
 - 50 (5) Private tennis courts.
 - 51 (6) Solar collectors attached to the principal structure.
 - 53 (7) Any other usual and customary uses accessory to the above permitted

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- uses as determined by the Zoning Administrator or his/her designee.
- (c) Conditional Uses:
- (1) Bed and breakfast establishments as provided for in Section 50.51(b) of the Wisconsin Statutes and Chapter HSS 197 of the Wisconsin Administrative Code.
 - (2) Licensed community and other living arrangements, which have a capacity of at least nine, but no more than 20 persons.
 - (3) Licensed family day care homes subject to the regulations set forth in section 48.65 of the Wisconsin Statutes.
 - (4) Private parks and playgrounds.
 - (5) Utility substations, municipal wells, pumping stations and towers shall be a minimum of 50 feet from any side or rear lot line.
 - (6) Solar energy collectors erected as an accessory structure.
 - (7) Utilities requiring a building.
 - (8) Parking of a semi-tractor or other large trucks in accordance with Subsection 66.0405(b) [See page 88] of this chapter.
 - (9) Antennas over 35 feet tall.
 - (10) Rest homes, nursing homes, clinics and children's nurseries if all principal structures are at least 50 feet away from any side or rear lot line.
 - (11) Golf courses.
 - (12) Churches.
- (d) Lot Area and Width:
Lots shall be a minimum of 20,000 square feet in area and shall have a lot width of at least 75 feet. Corner lots shall have a lot width of at least 110 feet.
- (e) Building Height, Area and Standards:
- (1) No principal residential building or part of a principal residential building shall exceed 35 feet in height. No accessory building shall exceed the height specified in section 66.0501 [See page 92].
 - (2) The total minimum floor area of a principal residential building shall be 900 square feet for a one-bedroom dwelling, 1,000 square feet for a two-bedroom dwelling and 1,200 square feet for a three or more bedroom dwelling.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE DISTRICT

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE DISTRICT

- 1 (3) All principal residential buildings, 56 pavement for all buildings not on a
2 excluding attached garages, shall 57 public street.
3 have a minimum width of 24 feet 58 (6) There shall be a minimum rear yard
4 for the main body of the building. 59 setback of at least 30 feet from the
5 (Amended Ordinance 203-091112) 60 rear property line.
6 (4) The exterior walls of all principal 61 (7) See Section 66.0307(d) for setbacks
7 residential buildings shall be covered 62 for multi-building R-2 housing pro-
8 by either stucco, cement siding, 63 jects. [See page 92] (Amended Or-
9 wood, wood clapboards, wood 64 dinance 203-091112)
10 shakes, vinyl, steel or aluminum 65 (g) Unit Densities:
11 beveled siding, brick, stone or other 66 The maximum dwelling unit density shall
12 masonry-type veneer materials or 67 be six units per acre. The Plan Commission
13 other similar materials. 68 may modify the density standard by a ¾-
14 (5) All principal residential buildings 69 majority vote of the Commissioners, but
15 shall be placed on, and be attached 70 only if supplemental design elements or
16 to, a permanently enclosed founda- 71 improvements are incorporated into the
17 tion in accordance with the stand- 72 project, which compensate for the in-
18 ards set forth in section 70.043(1) 73 creased density. (Amended Ordinance
19 Wisconsin Statutes and chapter 74 203-091112)
20 ILHR 21, Wis. Admin. Code. 75 (h) Other Architectural Standards: (Amended
21 (6) The total of the floor area on all 76 Ordinance 137-021208)
22 floors of the principal residential 77 (1) The Plan Commission shall approve
23 building and all accessory buildings 78 the style and exterior design of all
24 including the required parking, 79 buildings in R-2 projects. The de-
25 driveways and sidewalks shall not 80 veloper shall designate specific lots
26 exceed 40 percent of the lot area 81 for certain building designs to insure
27 and the balance shall be left as 82 that no two adjacent dwelling
28 open space. (Amended Ordinance 83 units/buildings shall look identical.
29 203-091112) 84 (Amended Ordinance 203-091112)
30 (f) Setbacks: 85 (2) Any wall visible from a public street
31 (1) There shall be two side setbacks for 86 that exceeds 50 feet in length shall
32 all principal residential buildings to- 87 have a minimum of 20% of the
33 taling at least 25 feet, with one be- 88 length of the wall projecting or re-
34 ing at least ten feet; and where a 89 cessing at a minimum depth of 3%
35 side-entry garage exists, the setback 90 of the length of the wall and a
36 shall be at least 27 feet in width as 91 change in the materials, texture, or
37 measured from the closest point of 92 a permanent architectural feature
38 the garage door opening that is per- 93 shall be provided.
39 pendicular to the side lot line. 94 (3) A detached garage shall be architec-
40 (2) There shall be a minimum side set- 95 turally compatible with the residen-
41 tback of at least 100 feet for all 96 tial building it serves. It shall be de-
42 churches. 97 signed and oriented to minimize the
43 (3) Accessory buildings shall meet the 98 visual effect of the scale or mass of
44 same setbacks as principal buildings 99 the garage. Visual interest shall be
45 in the district. Other accessory 100 created on all sides of the garage
46 building requirements are listed in 101 that are visible from a public street
47 section 66.0501 [See page 92] of 102 through the use of landscaping,
48 this chapter. (Amended Ordinance 103 berming, architectural features,
49 207-100912) 104 building materials, and/or orienta-
50 (4) There shall be a minimum front set- 105 tion.
51 tback of at least 60 feet from the 106 (4) In the R-2 district, attached garages
52 centerline of the street right-of-way. 107 for multifamily developments shall
53 (5) There shall be a minimum front set- 108 be designed and oriented so that
54 tback of at least 40 feet from the 109 they do not dominate the front fa-
55 edge of the easement or the edge of 110 cade of the building to which they

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE
DISTRICT

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE
DISTRICT

- 1 are attached. Attached garages shall
2 not occupy more than 30% of the
3 front facade of the building. Not
4 more than six garage doors may ap-
5 pear on any multifamily building fa-
6 cade containing front doors, and the
7 plane along such garage doors shall
8 be broken by an offset of at least
9 two feet if more than two garage
10 doors are in a row. (Amended Ordi-
11 nance 203-091112)
- 12 (5) Sidewalks not less than three (3) feet
13 in width shall be provided to all
14 building entrances connecting the
15 building to the required parking ar-
16 eas or driveways.
- 17 (6) If a sidewalk exists along the public
18 street(s) abutting the lot, then side-
19 walk(s) shall be provided connect-
20 ing the all buildings to the public
21 street.
- 22 (7) Street trees shall be provided along
23 all existing and new public right-of-
24 ways at a rate of at least one tree
25 per 40 feet. If a driveway leading to
26 the parking area is longer than 100
27 feet, trees shall also be planted
28 along at least one side of such
29 driveway at the rate specified. All
30 tree species shall be approved by
31 the Plan Commission.
- 32 (8) All dwelling units must be served by
33 public streets and not private roads.
34 In the R-2 district, all driveways and
35 parking spaces must be paved.
36 (Amended Ordinance 203-091112)
37

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE
DISTRICT

SEC. 66.0312 R-2 MULTIPLE-FAMILY RESIDENCE
DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

- 1 **Sec. 66.0313 R-3 Large Lot Residence District** 57
- 2 The large lot residence district (R-3) is intended to 58
- 3 accommodate the development of residential uses 59
- 4 in a manner, which protects the natural environ- 60
- 5 ment and reflects the open, country character of 61
- 6 development found at the fringe of the communi- 62
- 7 ty. This district is intended to be used in areas of 63
- 8 the Village not served by public sewer and water 64
- 9 and where future higher density residential and 65
- 10 business development is not planned. 66
- 11 (a) Permitted Uses: 67
- 12 (1) Single-family dwellings. 68
- 13 (2) Licensed community and other liv- 69
- 14 ing arrangements, which have a capa- 70
- 15 city for eight or fewer persons, 71
- 16 subject to the limitations set forth in 72
- 17 section 62.23(7)(i) of the Wisconsin 73
- 18 Statutes. 74
- 19 (3) Licensed foster family homes sub- 75
- 20 ject to the regulations set forth in 76
- 21 section 48.62 of the Wisconsin 77
- 22 Statutes. 78
- 23 (4) Public parks. 79
- 24 (5) Essential services, municipal build- 80
- 25 ings and facilities. 81
- 26 (b) Permitted Accessory Uses: 82
- 27 (1) Accessory Uses and Structures. De- 83
- 28 tached garages shall not be used, 84
- 29 rented or leased to any individual 85
- 30 who is not the property owner or an 86
- 31 occupant residing on the property. 87
- 32 See section 66.0501 [See page 92] 88
- 33 (2) Ground-mounted and building- 89
- 34 mounted earth station dish and ter- 90
- 35 restrial antennas. 91
- 36 (3) Home occupations and professional 92
- 37 home offices. [See section 93
- 38 66.0501(d) page 92] 94
- 39 (4) Private swimming pools. 95
- 40 (5) Private tennis courts. 96
- 41 (6) Solar collectors attached to the 97
- 42 principal structure. 98
- 43 (7) Any other usual and customary uses 99
- 44 accessory to the above permitted 100
- 45 uses as determined by the Zoning 101
- 46 Administrator or his/her designee. 102
- 47 (c) Conditional Uses: 103
- 48 (1) Bed and breakfast establishments as 104
- 49 provided for in Section 50.51(b) of 105
- 50 the Wisconsin Statutes and Chapter 106
- 51 HSS 197 of the Wisconsin Adminis- 107
- 52 trative Code. 108
- 53 (2) Licensed community and other liv- 109
- 54 ing arrangements, which have a ca- 110
- 55 pacity of at least nine, but no more 111
- 56 than 20 persons.
- (3) Licensed family day care homes subject to the regulations set forth in section 48.65 of the Wisconsin Statutes.
- (4) Private parks and playgrounds.
- (5) Utility substations, municipal wells, pumping stations and towers shall be a minimum of 50 feet from any side or rear lot line.
- (6) Solar energy collectors erected as an accessory structure.
- (7) Utilities requiring a building.
- (8) Parking of a semi-tractor or other large trucks in accordance with Subsection 66.0405(b) [See page 88] of this chapter.
- (9) Antennas over 35 feet tall.
- (10) Golf Courses.
- (11) Keeping and raising of non-domestic animals incidental to the principal use of the premises may be permitted, on a non-commercial basis, subject to the following limitations: (Amended Ordinance 170-071310)
- (12) No endangered species, exotic species or wild animals shall be permitted.
- (13) No hooved animals or roosters are permitted.
- (14) No more than six poultry/fowl per five acres.
- (15) No more than six fur bearing animals per five acres.
- (16) The progeny of permitted non-domestic animals, which exceed the permitted number, may remain on the property for up to nine months.
- (17) All non-domestic animals shall be housed or confined a minimum of at least 100 feet from all property lines.
- (18) All structures, fences, coops or yards where non-domestic animals are kept shall be maintained in a clean and sanitary manner; devoid of rodents and vermin and free of objectionable odors.
- (19) The Plan Commission may establish further restrictions on animals that create excessive noise.
- (d) Lot Area and Width:
- (1) Lots shall be a minimum of five acres in area and shall have a lot width of at least 300 feet. Corner

VILLAGE OF SISTER BAY ZONING CODE

- 1 lots shall have a lot width of at least 57
2 90 feet. 58
- 3 (2) Building Height, Area and Stand- 59
4 ards: 60
- 5 (3) No principal residential building or 61
6 part of a principal residential build- 62
7 ing shall exceed 35 feet in height. 63
8 No accessory building shall exceed 64
9 14 feet in height or the height of the 65
10 principal building as specified in 66
11 section 66.0501 [See page 92]. 67
- 12 (4) The total minimum floor area of a 68
13 principal residential building shall 69
14 be 900 square feet for a one- 70
15 bedroom dwelling, 1,000 square 71
16 feet for a two-bedroom dwelling 72
17 and 1,200 square feet for a three or 73
18 more bedroom dwelling. 74
- 19 (5) All principal residential buildings, 75
20 excluding attached garages, shall 76
21 have a minimum width of 24 feet 77
22 for the main body of the house. 78
- 23 (6) The exterior walls of all principal 79
24 residential buildings shall be cov- 80
25 ered by either stucco, cement sid- 81
26 ing, wood, wood clapboards, wood 82
27 shakes, vinyl, steel or aluminum 83
28 beveled siding, brick, stone or other 84
29 masonry-type veneer materials or 85
30 other similar materials. 86
- 31 (7) All principal residential buildings 87
32 shall be placed on, and be attached 88
33 to, a permanently enclosed founda- 89
34 tion in accordance with the stand- 90
35 ards set forth in section 70.043(1) 91
36 Wisconsin Statutes and chapter 92
37 ILHR 21, Wis. Admin. Code. 93
- 38 (8) The total of the floor area on all 94
39 floors of the principal residential 95
40 building and all accessory buildings 96
41 including the required parking, 97
42 driveways and sidewalks shall not 98
43 exceed 20 percent of the lot area 99
44 and the balance shall be left as 100
45 open space. (Amended Ordinance 101
46 159-120809) 102
- 47 (e) Setbacks: 103
- 48 (1) There shall be two side setbacks for 104
49 all principal residential buildings to- 105
50 taling at least 25 feet, with one be- 106
51 ing at least ten feet; and where a 107
52 side-entry garage exists, the setback 108
53 shall be at least 27 feet in width as 109
54 measured from the closest point of 110
55 the garage door opening that is per- 111
56 pendicular to the side lot line. 112
- (2) There shall be a minimum side set-
back of at least 100 feet for all
churches.
- (3) Accessory buildings shall meet the
same setbacks as principal buildings
in the district. Other accessory
building requirements are listed in
section 66.0501 [See page 92] of
this chapter. (*Amended Ordinance
207-100912*)
- (4) There shall be a minimum front set-
back of at least 80 feet from the
centerline of the street right-of-way.
- (5) There shall be a minimum front set-
back of at least 60 feet from the
edge of the easement or the edge of
pavement for all buildings not on a
public street.
- (6) There shall be a minimum rear yard
setback of at least 50 feet from the
rear property line.
- (f) Other Architectural Standards: (Amended
Ordinance 137-021208)
- (1) The Plan Commission shall approve
the style and exterior design of
dwellings in subdivisions. The de-
veloper shall designate specific lots
for certain building designs to insure
that no two adjacent dwelling
units/buildings shall look identical.
- (2) Any wall visible from a public street
that exceeds 50 feet in length shall
have a minimum of 20% of the
length of the wall projecting or re-
cessing at a minimum depth of 3%
of the length of the wall and a
change in the materials, texture, or
a permanent architectural feature
shall be provided.
- (3) A detached garage shall be architec-
turally compatible with the residen-
tial building it serves. It shall be de-
signed and oriented to minimize the
visual effect of the scale or mass of
the garage. Visual interest shall be
created on all sides of the garage
that are visible from a public street
through the use of landscaping,
berming, architectural features,
building materials, and/or orienta-
tion.
- (4) In the R-2 and R-4 districts, attached
garages for multifamily develop-
ments shall be designed and orient-
ed so that they do not dominate the
front facade of the building to

VILLAGE OF SISTER BAY ZONING CODE

- 1 which they are attached. Attached
2 garages shall not occupy more than
3 30% of the front facade of the build-
4 ing. Not more than six garage doors
5 may appear on any multifamily
6 building facade containing front
7 doors, and the plane along such
8 garage doors shall be broken by an
9 offset of at least two feet if more
10 than two garage doors are in a row.
11 (5) In the R-1, R-3 and CS-1 districts at-
12 tached garages for single family
13 homes shall be designed and ori-
14 ented so that they do not dominate
15 the front facade of the building to
16 which they are attached. (Amended
17 Ordinance 1141-070808)
18 (6) Sidewalks not less than three (3) feet
19 in width shall be provided to all
20 building entrances connecting the
21 building to the required parking ar-
22 eas or driveways.
23 (7) If a sidewalk exists along the public
24 street(s) abutting the lot, then side-
25 walk(s) shall be provided connect-
26 ing the all buildings to the public
27 street.
28 (8) Street trees shall be provided along
29 all existing and new public right-of-
30 ways at a rate of at least one tree
31 per 40 feet. If a driveway leading to
32 the parking area is longer than 100
33 feet, trees shall also be planted
34 along at least one side of such
35 driveway at the rate specified. All
36 tree species shall be approved by
37 the Plan Commission.
38 (9) All dwelling units must be served by
39 public streets and not private roads.
40 In the R-2 and R-4 districts, all
41 driveways and parking spaces must
42 be paved. In the R-1, R-3 and CS-1
43 districts all driveways must be
44 paved from the edge of abutting
45 street pavement to the edge of the
46 right of way or easement.
47

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0313 R-3 LARGE LOT RESIDENCE DISTRICT

SEC. 66.0313 R-3 LARGE LOT RESIDENCE DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Sec. 66.0314 R-4 Small Lot Residence District**

2 The small lot residence district (R-4) is intended to
3 provide a pleasant, safe and quiet residential envi-
4 ronment for workforce housing. This district is on-
5 ly allowed as a PUD where it is demonstrated that
6 the development will provide housing for individ-
7 uals working full time within the area served by
8 the Gibraltar School District who meet the stand-
9 ards as established for Door County. The district is
10 only allowed in areas where public sewer and
11 water services are available. (Amended Ordina-
12 nance 137-021208)

13 (a) Permitted Uses:

- 14 (1) Single-family dwellings.
- 15 (2) Licensed community and other liv-
16 ing arrangements, which have a ca-
17 pacity for eight or fewer persons,
18 subject to the limitations set forth in
19 section 62.23(7)(i) of the Wisconsin
20 Statutes.
- 21 (3) Licensed foster family homes sub-
22 ject to the regulations set forth in
23 section 48.62 of the Wisconsin
24 Statutes.
- 25 (4) Public parks.
- 26 (5) Essential services, municipal build-
27 ings and facilities.
- 28 (6) Licensed family day care homes
29 subject to the regulations set forth in
30 section 48.65 of the Wisconsin stat-
31 utes.
- 32 (7) The R-4 Zoning District shall consist
33 of single family, duplex, townhouse
34 and apartment dwelling units or any
35 combination thereof at a percentage
36 mix as permitted by Plan Commis-
37 sion. Transient housing is not per-
38 mitted. (Amended Ordinance 137-
39 021208)

40 (b) Permitted Accessory Uses:

- 41 (1) Accessory Uses and Structures. De-
42 tached garages shall not be used,
43 rented or leased to any individual
44 who is not the property owner or an
45 occupant residing on the property.
46 See section 66.0501 [See page 92]
- 47 (2) Ground-mounted and building-
48 mounted earth station dish and ter-
49 restrial antennas.
- 50 (3) Home occupations and professional
51 home offices. [See section
52 66.0501(d) page 92]
- 53 (4) Private swimming pools.
- 54 (5) Private tennis courts.
- 55 (6) Solar collectors attached to the
56 principal structure.

- (7) Any other usual and customary uses
accessory to the above permitted
uses as determined by the Zoning
Administrator or his/her designee.

(c) Conditional Uses:

- (1) Bed and breakfast establishments as
provided for in Section 50.51(b) of
the Wisconsin Statutes and Chapter
HSS 197 of the Wisconsin Adminis-
trative Code.
- (2) Licensed community and other liv-
ing arrangements, which have a ca-
pacity of at least nine, but no more
than 20 persons.
- (3) Licensed family day care homes
subject to the regulations set forth in
section 48.65 of the Wisconsin
Statutes.
- (4) Private parks and playgrounds.
- (5) Utility substations, municipal wells,
pumping stations and towers shall
be a minimum of 50 feet from any
side or rear lot line.
- (6) Solar energy collectors erected as
an accessory structure.
- (7) Utilities requiring a building.
- (8) Parking of a semi-tractor or other
large trucks in accordance with
Subsection 66.0405(b) [See page
88] of this chapter.
- (9) Antennas over 35 feet tall.

(d) Lot Area and Width:

- (1) Lots shall be a minimum of 4,500
square feet in area and shall have a
lot width of at least 45 feet. Corner
lots shall have a lot width of at least
55 feet.

(e) Building Height, Area and Standards:

- (1) No principal residential building or
part of a principal residential build-
ing shall exceed 35 feet in height.
No accessory building shall exceed
the height specified in section
66.0501 [See page 92].
- (2) The total minimum floor area of a
principal residential building shall
be 900 square feet for a one-
bedroom dwelling, 1,000 square
feet for a two-bedroom dwelling
and 1,200 square feet for a three or
more bedroom dwelling.
- (3) All principal residential buildings,
excluding attached garages, shall
have a minimum width of 24 feet
for the main body of the house.

VILLAGE OF SISTER BAY ZONING CODE

- 1 (4) The exterior walls of all principal 57
- 2 residential buildings shall be covered 58
- 3 by either stucco, cement siding, 59
- 4 wood, wood clapboards, wood 60
- 5 shakes, vinyl, steel or aluminum 61
- 6 beveled siding, brick, stone or other 62
- 7 masonry-type veneer materials or 63
- 8 other similar materials. 64
- 9 (5) All principal residential buildings 65
- 10 shall be placed on, and be attached 66
- 11 to, a permanently enclosed foundation 67
- 12 in accordance with the standards 68
- 13 set forth in section 70.043(1) 69
- 14 Wisconsin Statutes and chapter 70
- 15 ILHR 21, Wis. Admin. Code. 71
- 16 (6) The total of the floor area on all 72
- 17 floors of the principal residential 73
- 18 building and all accessory buildings 74
- 19 including the required parking, 75
- 20 driveways and sidewalks shall not 76
- 21 exceed 50 percent of the lot area 77
- 22 and the balance shall be left as 78
- 23 open space. (Amended Ordinance 79
- 24 159-120809) 80
- 25 (7) The total minimum floor area of a 81
- 26 principal residential building shall 82
- 27 be 850 square feet for a one- 83
- 28 bedroom dwelling, 900 square feet 84
- 29 for a two-bedroom dwelling and 85
- 30 1,100 square feet for a three or 86
- 31 more bedroom dwelling. (Amended 87
- 32 Ordinance 137-021208) 88
- 33 (f) Setbacks: 89
- 34 (1) There shall be two side setbacks for 90
- 35 all principal residential buildings to- 91
- 36 taling at least 20 feet, with one be- 92
- 37 ing at least five feet; and where a 93
- 38 side-entry garage exists, the setback 94
- 39 shall be at least 27 feet in width as 95
- 40 measured from the closest point of 96
- 41 the garage door opening that is per- 97
- 42 pendicular to the side lot line. 98
- 43 (2) There shall be a minimum front set- 99
- 44 back of at least 25 feet from the 100
- 45 centerline of the street right-of-way. 101
- 46 (3) There shall be a minimum front set- 102
- 47 back of at least 40 feet from the 103
- 48 edge of the easement or the edge of 104
- 49 pavement for all buildings not on a 105
- 50 public street. 106
- 51 (4) There shall be a minimum rear yard 107
- 52 setback of at least 25 feet from the 108
- 53 rear property line. 109
- 54 (5) Accessory buildings shall meet the 110
- 55 same setbacks as principal buildings 111
- 56 in the district. Other accessory 112

- building requirements are listed in section 66.0501 [See page 92] of this chapter. (*Amended Ordinance 207-100912*)
- (g) Other Architectural Standards: (Amended Ordinance 137-021208)
 - (1) The Plan Commission shall approve the style and exterior design of dwellings in subdivisions. The developer shall designate specific lots for certain building designs to insure that no two adjacent dwelling units/buildings shall look identical.
 - (2) Any wall visible from a public street that exceeds 50 feet in length shall have a minimum of 20% of the length of the wall projecting or recessing at a minimum depth of 3% of the length of the wall and a change in the materials, texture, or a permanent architectural feature shall be provided.
 - (3) A detached garage shall be architecturally compatible with the residential building it serves. It shall be designed and oriented to minimize the visual effect of the scale or mass of the garage. Visual interest shall be created on all sides of the garage that are visible from a public street through the use of landscaping, berming, architectural features, building materials, and/or orientation.
 - (4) In the R-2 and R-4 districts, attached garages for multifamily developments shall be designed and oriented so that they do not dominate the front facade of the building to which they are attached. Attached garages shall not occupy more than 30% of the front facade of the building. Not more than six garage doors may appear on any multifamily building facade containing front doors, and the plane along such garage doors shall be broken by an offset of at least two feet if more than two garage doors are in a row.
 - (5) In the R-1, R-3 and CS-1 districts attached garages for single family homes shall be designed and oriented so that they do not dominate the front facade of the building to which they are attached. (Amended Ordinance 1141-070808)

VILLAGE OF SISTER BAY ZONING CODE

- 1 (6) Sidewalks not less than three (3) feet
2 in width shall be provided to all
3 building entrances connecting the
4 building to the required parking ar-
5 eas or driveways.
- 6 (7) If a sidewalk exists along the public
7 street(s) abutting the lot, then side-
8 walk(s) shall be provided connect-
9 ing the all buildings to the public
10 street.
- 11 (8) Street trees shall be provided along
12 all existing and new public right-of-
13 ways at a rate of at least one tree
14 per 40 feet. If a driveway leading to
15 the parking area is longer than 100
16 feet, trees shall also be planted
17 along at least one side of such
18 driveway at the rate specified. All
19 tree species shall be approved by
20 the Plan Commission.
- 21 (9) All dwelling units must be served by
22 public streets and not private roads.
23 In the R-2 and R-4 districts, all
24 driveways and parking spaces must
25 be paved. In the R-1, R-3 and CS-1
26 districts all driveways must be
27 paved from the edge of abutting
28 street pavement to the edge of the
29 right of way or easement.
30

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0314 R-4 SMALL LOT RESIDENCE DISTRICT

SEC. 66.0314 R-4 SMALL LOT RESIDENCE DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

- 1 **Sec. 66.0315 CS-1 Countryside District** 55
- 2 The Countryside district provides for the continua- 56
- 3 tion of low-density residential housing and gen- 57
- 4 eral, non-intensive, agricultural and related use in 58
- 5 those areas suited to farming. The intent is to con- 59
- 6 serve areas with adequate soil types, drainage and 60
- 7 topography for low-density residential use and to 61
- 8 preserve the rural landscape from an uneconomical 62
- 9 scattering of residential development in such 63
- 10 areas. 64
- 11 (a) Permitted Uses: 65
- 12 (1) Single-family dwellings. 66
- 13 (2) Licensed community and other liv- 67
- 14 ing arrangements, which have a ca- 68
- 15 pacity for eight or fewer persons, 69
- 16 subject to the limitations set forth in 70
- 17 section 62.23(7)(i) of the Wisconsin 71
- 18 Statutes. 72
- 19 (3) Licensed foster family homes sub- 73
- 20 ject to the regulations set forth in 74
- 21 section 48.62 of the Wisconsin 75
- 22 Statutes. 76
- 23 (4) Public parks. 77
- 24 (5) Essential services, municipal build- 78
- 25 ings and facilities. 79
- 26 (6) General farming including but not 80
- 27 limited to apiculture, floriculture, 81
- 28 forage crop production, forestry, 82
- 29 grain production, grazing, orchards, 83
- 30 vineyards and truck farming. 84
- 31 (7) Horse stables. 85
- 32 (8) Tree farms and woodlots. 86
- 33 (9) Existing dwellings not accessory to 87
- 34 any farm operation or a dwelling 88
- 35 remaining after farm consolidation. 89
- 36 (10) Indoor institutional uses. 90
- 37 (11) Churches. 91
- 38 (12) Keeping and raising of domestic 92
- 39 stock for agribusiness, show, breed- 93
- 40 ing, boarding, or other purposes in- 94
- 41 cidental to the principal use of the 95
- 42 premises shall be limited to no more 96
- 43 than three non-domestic animals 97
- 44 per acre. 98
- 45 (b) Permitted Accessory Uses: 99
- 46 (1) Accessory Uses and Structures. De- 100
- 47 tached garages shall not be used, 101
- 48 rented or leased to any individual 102
- 49 who is not the property owner or an 103
- 50 occupant residing on the property. 104
- 51 See section 66.0501 [See page 92] 105
- 52 (2) Ground-mounted and building- 106
- 53 mounted earth station dish and ter- 107
- 54 restrial antennas. 108
- 109
- (3) Home occupations and professional 110
- home offices. [See section 111
- 66.0501(d) page 92] 112
- (4) Private swimming pools. 113
- (5) Private tennis courts. 114
- (6) Solar collectors attached to the 115
- principal structure. 116
- (7) Any other usual and customary uses 117
- accessory to the above permitted 118
- uses as determined by the Zoning 119
- Administrator or his/her designee. 120
- (8) One roadside stand, no larger than 121
- 200 square feet in area, for the sale 122
- of farm products produced on the 123
- premises. Any such stand shall con- 124
- form to the farm stand setbacks set 125
- forth in section 66.0315(g)(1) of this 126
- chapter and to the sign, parking and 127
- other provisions of this chapter. 128
- (c) Conditional Uses: 129
- (1) Bed and breakfast establishments as 130
- provided for in Section 50.51(b) of 131
- the Wisconsin Statutes and Chapter 132
- HSS 197 of the Wisconsin Adminis- 133
- trative Code. 134
- (2) Licensed community and other liv- 135
- ing arrangements, which have a ca- 136
- capacity of at least nine, but no more 137
- than 20 persons. 138
- (3) Licensed family day care homes 139
- subject to the regulations set forth in 140
- section 48.65 of the Wisconsin 141
- Statutes. 142
- (4) Private parks and playgrounds. 143
- (5) Utility substations, municipal wells, 144
- pumping stations and towers shall 145
- be a minimum of 50 feet from any 146
- side or rear lot line. 147
- (6) Solar energy collectors erected as 148
- an accessory structure. 149
- (7) Utilities requiring a building. 150
- (8) Parking of a semi-tractor or other 151
- large trucks in accordance with 152
- Subsection 66.0405(b) [See page 153
- 88] of this chapter. 154
- (9) Antennas over 35 feet tall. 155
- (10) Private educational or non-animal 156
- nature study areas. 157
- (11) Garden plots for rent. 158
- (12) Permanent retail establishments sell- 159
- ing fruits, vegetables and selected 160
- farm products in stands exceeding 161
- 200 square feet in area. 162
- (13) Transmitting towers, receiving tow- 163
- ers, and relay and microwave tow- 164

VILLAGE OF SISTER BAY ZONING CODE

| | | | |
|----|---|-----|---|
| 1 | ers without broadcast facilities or | 57 | (6) The total of the floor area on all |
| 2 | studios. | 58 | floors of the principal residential |
| 3 | (14) Cemeteries. | 59 | building and all accessory buildings |
| 4 | (15) Farm implement repair. | 60 | including the required parking, |
| 5 | (16) Golf courses. | 61 | driveways and sidewalks shall not |
| 6 | (17) Indoor and outdoor recreation. | 62 | exceed 10 percent of the lot area |
| 7 | (18) Kennels. | 63 | and the balance shall be left as |
| 8 | (19) Utilities requiring a building. | 64 | open space. (Amended Ordinance |
| 9 | (20) One roadside stand, no larger than | 65 | 159-120809) |
| 10 | 200 square feet in area, for the sale | 66 | (f) <u>Setbacks:</u> |
| 11 | of farm products. Any such stand | 67 | (1) There shall be two side setbacks for |
| 12 | shall conform to the farm stand set- | 68 | all principal residential buildings to- |
| 13 | backs set forth in section | 69 | taling at least 25 feet, with one be- |
| 14 | 66.0315(g)(1) of this chapter and to | 70 | ing at least ten feet; and where a |
| 15 | the sign, parking and other provi- | 71 | side-entry garage exists, the setback |
| 16 | sions of this chapter. | 72 | shall be at least 27 feet in width as |
| 17 | (21) Hotels/motels (Not to exceed eight | 73 | measured from the closest point of |
| 18 | separate rooms or units for rent) | 74 | the garage door opening that is per- |
| 19 | <i>(Amended Ordinance 188-071211)</i> | 75 | pendicular to the side lot line. |
| 20 | (d) <u>Lot Area and Width:</u> | 76 | (2) There shall be a minimum side set- |
| 21 | (1) Lots shall have a minimum area of | 77 | back of at least 100 feet for all |
| 22 | ten acres and shall have a lot width | 78 | churches. |
| 23 | of at least 300 feet wide. | 79 | (3) Accessory buildings shall meet the |
| 24 | (e) <u>Building Height, Area and Standards:</u> | 80 | same setbacks as principal buildings |
| 25 | (1) No principal residential building or | 81 | in the district. Other accessory |
| 26 | part of a principal residential build- | 82 | building requirements are listed in |
| 27 | ing shall exceed 35 feet in height. | 83 | section 66.0501 [See page 92] of |
| 28 | No accessory building shall exceed | 84 | this chapter. <i>(Amended Ordinance</i> |
| 29 | the height as specified in section | 85 | <i>207-100912)</i> |
| 30 | 66.0501 [See page 92]. | 86 | (4) There shall be a minimum front set- |
| 31 | (2) The total minimum floor area of a | 87 | back of at least 50 feet from the |
| 32 | principal residential building shall | 88 | street right-of-way for farm dwell- |
| 33 | be 900 square feet for a one- | 89 | ings and at least 80 feet from the |
| 34 | bedroom dwelling, 1,000 square | 90 | street right-of-way for all other |
| 35 | feet for a two-bedroom dwelling | 91 | buildings. |
| 36 | and 1,200 square feet for a three or | 92 | (5) There shall be a minimum front set- |
| 37 | more bedroom dwelling. | 93 | back of at least 60 feet from the |
| 38 | (3) All principal residential buildings, | 94 | edge of the easement or the edge of |
| 39 | excluding attached garages, shall | 95 | pavement for all buildings not on a |
| 40 | have a minimum width of 24 feet | 96 | public street. |
| 41 | for the main body of the house. | 97 | (6) There shall be a minimum rear yard |
| 42 | (4) The exterior walls of all principal | 98 | setback of at least 50 feet from the |
| 43 | residential buildings shall be cov- | 99 | rear property line. |
| 44 | ered by either stucco, cement sid- | 100 | (g) <u>Special Requirements.</u> |
| 45 | ing, wood, wood clapboards, wood | 101 | (1) Farm stands shall be setback at least |
| 46 | shakes, vinyl, steel or aluminum | 102 | ten feet from all property lines. |
| 47 | beveled siding, brick, stone or other | 103 | (2) Buildings that house farm animals |
| 48 | masonry-type veneer materials or | 104 | including horses shall be setback at |
| 49 | other similar materials. | 105 | least 100 feet from the nearest resi- |
| 50 | (5) All principal residential buildings | 106 | dence and from any navigable wa- |
| 51 | shall be placed on, and be attached | 107 | ter. |
| 52 | to, a permanently enclosed founda- | 108 | (3) Indoor institutional use buildings |
| 53 | tion in accordance with the stand- | 109 | shall be setback a minimum of at |
| 54 | ards set forth in section 70.043(1) | 110 | least 50 feet from residentially |
| 55 | Wisconsin Statutes and chapter | 111 | zoned property. |
| 56 | ILHR 21, Wis. Admin. Code. | | |

VILLAGE OF SISTER BAY ZONING CODE

- 1 (4) All kennels shall be screened from 57
2 all sides and shall be a minimum of 58
3 at least 200 feet from the side and 59
4 year yard. All animals shall be kept 60
5 indoors from 9:00 p.m. to 7:00 a.m. 61
6 (5) The minimum lot size for a horse 62
7 stable shall be five acres. 63
8 (h) Other Architectural Standards: (Amended 64
9 Ordinance 137-021208) 65
10 (1) The Plan Commission shall approve 66
11 the style and exterior design of 67
12 dwellings in subdivisions. The de- 68
13 veloper shall designate specific lots 69
14 for certain building designs to insure 70
15 that no two adjacent dwelling 71
16 units/buildings shall look identical. 72
17 (2) Any wall visible from a public street 73
18 that exceeds 50 feet in length shall 74
19 have a minimum of 20% of the 75
20 length of the wall projecting or re- 76
21 cessing at a minimum depth of 3% 77
22 of the length of the wall and a 78
23 change in the materials, texture, or 79
24 a permanent architectural feature 80
25 shall be provided. 81
26 (3) A detached garage shall be architec- 82
27 turally compatible with the residen- 83
28 tial building it serves. It shall be de- 84
29 signed and oriented to minimize the 85
30 visual effect of the scale or mass of 86
31 the garage. Visual interest shall be 87
32 created on all sides of the garage 88
33 that are visible from a public street 89
34 through the use of landscaping,
35 berming, architectural features,
36 building materials, and/or orienta-
37 tion.
38 (4) In the R-2 and R-4 districts, attached
39 garages for multifamily develop-
40 ments shall be designed and orient-
41 ed so that they do not dominate the
42 front facade of the building to
43 which they are attached. Attached
44 garages shall not occupy more than
45 30% of the front facade of the build-
46 ing. Not more than six garage doors
47 may appear on any multifamily
48 building facade containing front
49 doors, and the plane along such
50 garage doors shall be broken by an
51 offset of at least two feet if more
52 than two garage doors are in a row.
53 (5) In the R-1, R-3 and CS-1 districts at-
54 tached garages for single family
55 homes shall be designed and ori-
56 ented so that they do not dominate
57 the front facade of the building to
58 which they are attached. (Amended
59 Ordinance 1141-070808)
60 (6) Sidewalks not less than three (3) feet
61 in width shall be provided to all
62 building entrances connecting the
63 building to the required parking ar-
64 eas or driveways.
65 (7) If a sidewalk exists along the public
66 street(s) abutting the lot, then side-
67 walk(s) shall be provided connect-
68 ing the all buildings to the public
69 street.
70 (8) Street trees shall be provided along
71 all existing and new public right-of-
72 ways at a rate of at least one tree
73 per 40 feet. If a driveway leading to
74 the parking area is longer than 100
75 feet, trees shall also be planted
76 along at least one side of such
77 driveway at the rate specified. All
78 tree species shall be approved by
79 the Plan Commission.
80 (9) All dwelling units must be served by
81 public streets and not private roads.
82 In the R-2 and R-4 districts, all
83 driveways and parking spaces must
84 be paved. In the R-1, R-3 and CS-1
85 districts, all driveways must be
86 paved from the edge of abutting
87 street pavement to the edge of the
88 right of way or easement.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0315 CS-1 COUNTRYSIDE DISTRICT

SEC. 66.0315 CS-1 COUNTRYSIDE DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

| | | | | |
|----|---|-----|------|-------------------------------------|
| 1 | Business Districts | 54 | (26) | Hobby and craft shops |
| 2 | Sec. 66.0320 B-1 General Business District | 55 | (27) | Hotel, condominium |
| 3 | The General Business district (B-1) is intended to | 56 | (28) | Hotel/motel |
| 4 | provide areas for attractive and accessible group- | 57 | (29) | Indoor institutional |
| 5 | ings of business, commercial, office and other | 58 | (30) | Infrastructure essential services |
| 6 | general retail uses in convenient locations outside | 59 | (31) | Information centers |
| 7 | of the Downtown Business district (B-3). This sec- | 60 | (32) | Insurance sales offices |
| 8 | tion provides standards for the orderly improve- | 61 | (33) | Interior decorators and furniture |
| 9 | ment and development within the general busi- | 62 | (34) | stores |
| 10 | ness district based on the following principles: | 63 | (35) | Jewelry stores |
| 11 | • Development that is consistent with the | 64 | (36) | Lawn and garden centers |
| 12 | natural environment. | 65 | (37) | Licensed massage therapy and body |
| 13 | • Development that maintains the Village's | 66 | (38) | work as certified by the State |
| 14 | traditional small town appearance, in | 67 | (39) | Liquor stores |
| 15 | which its housing, shops, work places, | 68 | (40) | Lumberyards |
| 16 | parks and civic facilities co-exist in rela- | 69 | (41) | Marinas |
| 17 | tive harmony. | 70 | (42) | Medical and dental clinics |
| 18 | • Development that balances the needs of | 71 | (43) | Municipal buildings |
| 19 | a resort town and a residential village. | 72 | (44) | Municipal utility facilities |
| 20 | • Designs that meet the architectural | 73 | (45) | Music stores |
| 21 | standards and enhance the Village's his- | 74 | (46) | Newspaper and magazine stores |
| 22 | toric architecture. | 75 | (47) | Office supplies and business ma- |
| 23 | (a) <u>Permitted Uses: (Amended Ordinance</u> | 76 | (48) | chine stores |
| 24 | <u>188-071211)</u> | 77 | (49) | Optical stores |
| 25 | (1) Antique and collectors stores | 78 | (50) | Paint, glass and wallpaper stores |
| 26 | (2) Art galleries or studios for photog- | 79 | (51) | Parks |
| 27 | raphy, painting, music, sculpture, | 80 | (52) | Pet stores and pet grooming |
| 28 | dance, pottery and jewelry | 81 | (53) | Pharmacy or drug store |
| 29 | (3) Auto sales and service | 82 | (54) | Photography studios |
| 30 | (4) Art supply stores | 83 | (55) | Physical fitness centers |
| 31 | (5) Banks/financial institutions | 84 | (56) | Plumbing and heating supplies |
| 32 | (6) Barber shops, beauty salons and | 85 | (57) | Printing services |
| 33 | spas | 86 | (58) | Professional offices |
| 34 | (7) Bed and breakfasts | 87 | (59) | Public parking lots |
| 35 | (8) Boat sales and service | 88 | (60) | Real estate offices |
| 36 | (9) Book or stationery stores | 89 | (61) | Radio and television studios |
| 37 | (10) Camera and photographic supply | 90 | (62) | Restaurant |
| 38 | stores | 91 | (63) | Retail electronic equipment sales |
| 39 | (11) Catering services | 92 | (64) | Self-service laundry and dry- |
| 40 | (12) Churches | 93 | (65) | cleaning |
| 41 | (13) Cinema, theater or performance hall | 94 | (66) | Shoe and leather goods stores |
| 42 | (14) Clothing stores | 95 | (67) | Single family housing as of January |
| 43 | (15) Commercial laundries | 96 | (68) | 1, 2007 |
| 44 | (16) Convenience store | 97 | (69) | Sporting goods stores |
| 45 | (17) Craft stores | 98 | (70) | Taverns or cocktail lounges |
| 46 | (18) Dance studio | 99 | (71) | Tobacco stores |
| 47 | (19) Florists | 100 | (67) | Trade and contractor shops |
| 48 | (20) Food stores | 101 | (68) | Travel agencies |
| 49 | (21) Funeral homes | 102 | (69) | Variety stores |
| 50 | (22) Gasoline service stations | 103 | (70) | Video productions |
| 51 | (23) Gift shops | 104 | (71) | Video tape sales and rental |
| 52 | (24) Group day care centers | | | |
| 53 | (25) Hardware stores | | | |

VILLAGE OF SISTER BAY ZONING CODE

- 1 (b) Permitted Accessory Uses: (Amended Or- 52
 2 *dinance 188-071211*) 53
 3 (1) Accessory uses and structures. See 54
 4 section 66.0501 [See page 92] 55
 5 (2) Outdoor Displays. See section 56
 6 66.0506 [See page 102] 57
 7 (3) Solar collectors attached to the 58
 8 principal structure. 59
 9 (4) Accessory Residential Use. One 60
 10 single-family dwelling and a non- 61
 11 transient residential unit, located on 62
 12 the same property as the business 63
 13 provided that there shall be a mini- 64
 14 mum floor area as provided below. 65
 15 The on-site parking required for the 66
 16 accessory residential units must be 67
 17 available on site. (Amended Ordi- 68
 18 nance 128-061207) 69

| <i>Bedrooms</i> | <i>Minimum area</i> |
|-----------------|---------------------|
| Efficiency | 700 |
| 1 | 750 |
| 2 or more | 850 |

- 19 (c) Conditional Uses: (Amended Ordinance 74
 20 *188-071211*) 75
 21 (1) Apartments (Subject to 76
 22 66.0320(g)(2)) 77
 23 (2) Commercial recreation facilities (in- 78
 24 door and outdoor), such as arcades, 79
 25 bowling alleys, clubs, dance halls, 80
 26 driving ranges, gymnasiums, health 81
 27 clubs, miniature golf facilities, pool 82
 28 and billiard halls and indoor skating 83
 29 rinks. 84
 30 (3) Congregate housing (Subject to 85
 31 66.0320(g)(2)) 86
 32 (4) Flea markets 87
 33 (5) Solar energy as accessory structure 88
 34 (6) Motor home and recreational vehi- 89
 35 cle sales and service 90
 36 (7) Non-village utility facilities 91
 37 (8) Light assembly, light manufacturing 92
 38 and related activities 93
 39 (9) Residential condominiums (Subject 94
 40 to 66.0320(g)(2)) 95
 41 (10) Seasonal employee housing (Subject 96
 42 to 66.0320(g)(2)) 97
 43 (11) Storage and related (Subject to 98
 44 66.0320(g)(1)) 99
 45 (d) Lot Area and Width: 100
 46 (1) Lots not served by public sewer 101
 47 shall be a minimum of 25,000 102
 48 square feet in area and shall have a 103
 49 lot width of at least 100 feet. Corner 104
 50 lots shall have a lot width of at least 105
 51 110 feet. 106

- (2) Lots shall provide sufficient area 52
 and width for the principal struc- 53
 ture(s) and its accessory structures, 54
 off-street parking and loading areas, 55
 and required setbacks. 56
 (3) Lots served by public sewer shall be 57
 a minimum of 20,000 square feet in 58
 area and shall have a lot width of at 59
 least 60 feet. Corner lots shall have 60
 a lot width of at least 110 feet. 61
 (e) Building Height and Area: 62
 (1) No principal building shall exceed 63
 35 feet in height. No accessory 64
 building shall exceed 35 feet in 65
 height. 66
 (2) The total of the floor area on all 67
 floors of the principal building and 68
 all accessory buildings including the 69
 required parking, driveways and 70
 sidewalks shall not exceed 80 per- 71
 cent of the lot area and the balance 72
 shall be left as open space. 73
 (Amended Ordinance 159-120809) 74
 (f) Setbacks: 75
 (1) There shall be a minimum building 76
 front setback of a least 45 feet from 77
 the centerline of the right-of-way of 78
 all streets. 79
 (2) There shall be a minimum front set- 80
 back of at least 40 feet from the 81
 edge of the easement or edge of 82
 pavement for all buildings not on a 83
 public street. 84
 (3) There shall be a side setback on 85
 each side of all principal buildings 86
 of not less than ten feet. However, 87
 this may be increased upon the rec- 88
 ommendation of the Village Engi- 89
 neer in order to accommodate the 90
 required grading between proper- 91
 ties. 92
 (4) There shall be a rear setback of at 93
 least 20 feet. 94
 (5) Accessory buildings shall meet the 95
 same setbacks as principal buildings 96
 in the district. Other accessory 97
 building requirements are listed in 98
 section 66.0501 [See page 92] of 99
 this chapter. (Amended Ordinance 100
 207-100912) 101
 (g) Special Standards. 102
 This section supplements the standards 103
 contained in section 66.0320(d) through 104
 66.0320(f). It provides standards for the 105
 following land uses in order to control the 106

VILLAGE OF SISTER BAY ZONING CODE

1 scale and compatibility of those uses with-
2 in the B-1 district:
3 (1) The Plan Commission shall apply at
4 a minimum the following standards
5 when considering a conditional use
6 permit for storage buildings. The
7 minimum space for a storage unit
8 would be 1500 square feet and the
9 buildings containing the units will
10 be constructed of non-metal materi-
11 als other than doors and windows.
12 A storage building shall not contain
13 more than four storage units. Real or
14 false windows will be installed on
15 the exterior facing walls to reduce
16 the long blank wall appearance.
17 The buildings shall be set back a
18 minimum of 250 feet from the cen-
19 terline of State Highways 42 or 57
20 and screened from the highway by
21 other buildings. The storage spaces
22 may be for actual storage or to al-
23 low the owner or occupant to work
24 within the storage building for the
25 purposes of maintaining their be-
26 longings such as autos, boats and
27 other belongings. The buildings
28 shall have fire sprinklers upon oc-
29 cupancy. No overnight storage or
30 parking of material, vehicle, etc.
31 outside is permitted and none of the
32 overhead doors shall be visible from
33 an adjacent residential property.
34 (Amended Ordinance 130-071007)
35 (2) New apartment, congregate hous-
36 ing, seasonal employee housing and
37 residential condominium buildings
38 shall comply with the building
39 height and area standards as well as
40 the unit density requirements in the
41 R-2 district Section 66.0312 as well
42 as the other requirements as exist
43 including the requirement that the
44 property is served by public sewer
45 and water. The conversion of exist-
46 ing commercial buildings into
47 apartments, congregate housing,
48 seasonal employee or residential
49 housing shall comply with the resi-
50 dential parking requirements. As
51 part of the conversion of an existing
52 commercial building to one of the
53 listed uses above, if there is any
54 building addition at that time or in
55 the future, the building addition is
56 subject to the building height and

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area standards as well as the unit
density requirements in the R-2 dis-
trict Section 66.0312 as well as the
other requirements as exist.
(Amended Ordinance 165-120809)

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0320 B-1 GENERAL BUSINESS DISTRICT

SEC. 66.0320 B-1 GENERAL BUSINESS DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

1 **Sec. 66.0322 B-2 Downtown Business Transi-**
 2 **tion District**
 3 The Downtown Business Transition district (B-2) is
 4 intended to complement the Village's downtown
 5 business district by providing a transition zone ad-
 6 jacent to the B-3 Downtown Business district.
 7 While the dominate uses in the B-2 district are
 8 residential, the area is in the process of changing
 9 to a mixture of business and residential uses. This
 10 transition area is typified by small lots, and build-
 11 ings with minimal setbacks. The intent of the B-2
 12 Downtown Transition district is to permit conver-
 13 sion of existing residential buildings to business
 14 uses and to permit the construction of new com-
 15 mercial buildings and to have North Bay Shore
 16 Drive remain the primary downtown shopping
 17 street. This section provides standards for the or-
 18 derly improvement and development of the
 19 downtown district transition based on the follow-
 20 ing principles:

- 21 • Development that is consistent with the
 22 natural environment.
- 23 • Development that maintains the Village's
 24 traditional small town appearance, in
 25 which its housing, shops, work places,
 26 parks and civic facilities co-exist in rela-
 27 tive harmony.
- 28 • Development that balances the needs of
 29 a resort town and a residential village.
- 30 • Efficient use of land and urban services.
- 31 • A mixture of land uses to encourage
 32 walking as an alternative to driving, pro-
 33 vide more employment and housing op-
 34 tions.
- 35 • Development, which serves as a buffer
 36 between residential neighborhoods and
 37 the downtown business district.
- 38 • Designs that meet the architectural
 39 standards and enhance the Village's his-
 40 toric architecture.

41 (a) Permitted Uses: (Amended Ordinance
 42 217-081313)
 43 (1) Antique and collectors stores
 44 (2) Art galleries or studios for photog-
 45 raphy, painting, music, sculpture,
 46 dance, pottery and jewelry
 47 (3) Art supply stores
 48 (4) Barber shops, beauty salons and
 49 spas
 50 (5) Bed and breakfasts

51 (6) Book or stationery stores
 52 (7) Camera and photographic supply
 53 stores
 54 (8) Cinema, theater or performance hall
 55 (9) Clothing stores
 56 (10) Convenience store
 57 (11) Craft stores
 58 (12) Dance studio
 59 (13) Florists
 60 (14) Food stores
 61 (15) Gift shops
 62 (16) Hobby and craft shops
 63 (17) Hotel/condominium
 64 (18) Hotel/motel
 65 (19) Infrastructure essential services
 66 (20) Information centers
 67 (21) Jewelry stores
 68 (22) Licensed massage therapy and body
 69 work as certified by the State
 70 (23) Marinas
 71 (24) Municipal utility facilities
 72 (25) Music stores
 73 (26) Newspaper and magazine stores
 74 (27) Parks
 75 (28) Photography studios
 76 (29) Physical fitness centers
 77 (30) Public parking lots
 78 (31) Real estate offices
 79 (32) Restaurant
 80 (33) Retail electronic equipment sales
 81 (34) Self-service laundry and dry-
 82 cleaning
 83 (35) Shoe and leather goods stores
 84 (36) Single family housing as of Septem-
 85 ber 1, 2010
 86 (37) Sporting goods stores
 87 (38) Taverns or cocktail lounges
 88 (39) Tobacco stores
 89 (40) Travel agencies
 90 (41) Variety stores
 91 (42) Video tape sales and rental

(b) Conditional Uses: (Amended Ordinance
 92 217-081313)
 93 (1) Commercial recreation facilities (in-
 94 door and outdoor), such as arcades,
 95 bowling alleys, clubs, dance halls,
 96 driving ranges, gymnasiums, health
 97 clubs, miniature golf facilities, pool
 98 and billiard halls and indoor skating
 99 rinks.
 100 (2) Liquor stores
 101 (3) Solar energy as accessory structure
 102 (4) Non-village utility facilities
 103
 104

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

- 1 (d) Permitted Accessory Uses: (*Amended Or-* 52
 2 *dinance 217-081313*) 53
 3 (1) Accessory structures. See section 54
 4 66.0501 [See page 92] 55
 5 (2) Outdoor displays. See section 56
 6 66.0506 [See page 102] 57
 7 (3) Professional offices 58
 8 (4) Accessory residential use. Residen- 59
 9 tial units and commercial transient 60
 10 lodging located on a ground or non- 61
 11 ground level on the same property 62
 12 shall be allowed with the minimum 63
 13 floor area as provided below. The 64
 14 on-site parking required for the ac- 65
 15 cessory residential units must be 66
 16 available on site and cannot be lo- 67
 17 cated elsewhere through the pay- 68
 18 ment of a fee as allowed under sec- 69
 19 tion 66.0322(h)(4) and (5). 70
- | <i>Bedrooms</i> | <i>Minimum area</i> |
|-----------------|---------------------|
| Efficiency | 700 |
| 1 | 750 |
| 2 or more | 850 |
- 20 (e) Building Setbacks: 75
 21 The homes in the transition district are typ- 76
 22 ically located on smaller irregularly shaped 77
 23 lots with minimal setbacks. In the transition 78
 24 district, homes and business buildings will 79
 25 operate in close proximity to one another. 80
 26 The setback standards are minimal to re- 81
 27 flect the difficulty of dealing with small lots 82
 28 and narrow road right-of-way. Building 83
 29 setbacks are measured from the respective 84
 30 property line. Setbacks for porches are 85
 31 measured from the edge of the deck or 86
 32 porch to the property line. The setback 87
 33 standards, as listed below, apply to primary 88
 34 structures as well as accessory structures. 89
 35 (1) Front Yard Setbacks. The minimum 90
 36 front yard setback is at least 35 feet 91
 37 from the centerline of the street 92
 38 right-of-way or 15 feet from the 93
 39 property line whichever is greater, 94
 40 except where a parcel adjoins the 95
 41 side lot line of another parcel front- 96
 42 ing on the same street with a lesser 97
 43 setback, in which case the mini- 98
 44 mum front yard setback shall be the 99
 45 average of the setback of the new 100
 46 building and the setback of the ad- 101
 47 joining parcel with the least set- 102
 48 back. 103
 49 (2) Rear Yard Setbacks. 104
 50 a. Minimum Setback. The min- 105
 51 imum rear yard setback for 106

- all structures shall be at least
 15 feet for street access lots,
 and at least eight feet for al-
 ley access lots (distance from
 building to rear property line
 or alley easement) in order to
 provide space for parallel
 parking.
- b. Through-Lots. For buildings
 on through-lots (lots with
 front and rear frontage onto a
 street), the front yard set-
 backs in 66.0322(d)(1) shall
 apply.
- (3) Side Yard Setbacks. The minimum
 side yard setback shall be at least
 ten feet. The Plan Commission may
 grant a waiver where the adjoining
 property owners enter into a written
 recordable agreement agreeing to
 a lesser setback distance. (Amended
 Ordinance 161-120809)
- (4) Lot Coverage. There shall be a min-
 imum of 20 percent open space and
 the balance shall not include the
 required parking, driveways and
 sidewalks on the lot as required by
 section 66.1050(a)(23). (Amended
 Ordinance 159-120809).
- (5) Lot Area and Width
- a. Lot Area. Lots shall be a min-
 imum of 4,500 square feet in
 area.
- b. Lot Width. Lots shall have a
 lot width of at least 45 feet.
 Corner lots shall have a lot
 width of at least 55 feet.
- (6) Building Standards
- a. There shall be no minimum
 floor area for buildings used
 solely for business purposes.
- b. The minimum floor area for a
 mixed-use residential and
 business building shall be at
 least 2,000 square feet.
- c. The minimum floor area for
 residential buildings shall be
 the same as section 66.0314.
 [See page 25]
- d. All principal residential
 dwellings, excluding at-
 tached garages, shall have a
 minimum width of at least 24
 feet for the main body of the
 house.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION DISTRICT

| | | | |
|----|-----|--|-----|
| 1 | e. | The exterior walls of all principal residential buildings shall be covered by either stucco, cement siding, wood; wood clapboards, wood shakes, vinyl, steel or aluminum beveled siding, brick, stone or other masonry type veneer materials or other similar materials. | 56 |
| 2 | | | 57 |
| 3 | | | 58 |
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| 5 | | | 60 |
| 6 | | | 61 |
| 7 | | | 62 |
| 8 | | | 63 |
| 9 | | | 64 |
| 10 | | | 65 |
| 11 | f. | All principal residential buildings shall be placed on, and be attached to, a permanently enclosed foundation in accordance with the standards set forth in section 70.043(1), Wisconsin Statutes and chapter ILHR 21, Wis. Admin. Code. | 66 |
| 12 | | | 67 |
| 13 | | | 68 |
| 14 | | | 69 |
| 15 | | | 70 |
| 16 | | | 71 |
| 17 | | | 72 |
| 18 | | | 73 |
| 19 | | | 74 |
| 20 | (7) | If the size of the project includes parcels aggregating 20,000 square feet or more, the Plan Commission may impose the following standard: | 75 |
| 21 | | | 76 |
| 22 | | | 77 |
| 23 | | | 78 |
| 24 | a. | Front Yard Setbacks. The minimum front yard setback is 40 feet from the centerline of the street right-of-way or 20 feet from the edge of pavement whichever is more, except where a parcel adjoins the side lot line of another parcel fronting on the same street with a lesser setback, in which case the minimum front yard setback shall be the average of the setback of the new building and the setback of the adjoining parcel with the least setback. The setback for a reconstructed non-conforming structure shall be no closer than eight feet from the right-of-way to provide for the installation of a five-foot public sidewalk. (Amended Ordinance 120-061306) | 79 |
| 25 | | | 80 |
| 26 | | | 81 |
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| 30 | | | 85 |
| 31 | | | 86 |
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| 45 | | | 100 |
| 46 | | | 101 |
| 47 | | | 102 |
| 48 | | | 103 |
| 49 | (f) | <u>Block Layout and Building Orientation:</u> | 104 |
| 50 | | This section is intended to promote the walkable mixed-use residential and commercial district by forming short blocks and orienting (placing or locating) buildings closer to streets. Placing buildings close to the street also slows traffic down and | 105 |
| 51 | | | 106 |
| 52 | | | 107 |
| 53 | | | 108 |
| 54 | | | 109 |
| 55 | | | 110 |

vides more “eyes on the street,” increasing the safety of public spaces. The standards, as listed on the following page compliment the front yard setback standards in section 66.0322(d).

(1) Applicability. This section applies to new land divisions and all of the following types of development (i.e., subject to Site Design Review) and compliance with all of the provisions of subsections (a) and (b), below, shall be required:

- a. Public and institutional buildings, except that the standard shall not apply to buildings which are not subject to site design review or those that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and
- b. Business and mixed-use buildings subject to site design review.

(2) Block Layout Standard. New land divisions and developments, which are subject to Site Design Review, shall be configured to provide an alley or interior parking court, as shown above. Blocks (areas bound by public street right-of-way) shall have a length not exceeding 400 feet, and a depth not exceeding 400 feet. Pedestrian pathways shall be provided from the street right-of-way to interior parking courts between buildings, as necessary to ensure reasonably safe, direct and convenient access to building entrances and off-street parking.

(3) Building Orientation Standard. All of the developments listed in section 66.0322(e)(1) shall be oriented to a street. The building orientation standard is met when all of the following criteria are met:

- a. The minimum and maximum setback standards in section 66.0322(d) are met;
- b. Buildings have their primary entrance(s) oriented to (facing) the street. Building entrances may include entrances to individual units, lobby

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entrances, entrances oriented to pedestrian plazas, or breezeway courtyard entrances (i.e., to a cluster of units or commercial spaces). Alternatively, a building may have its entrance facing a side yard when a direct pedestrian walkway not exceeding ten feet in length is provided between the building entrance and the street right-of-way.

c. Off-street parking, driveways or other vehicular circulation shall not be placed between a building and the street, which is used to comply with subsection 66.0322(e)(2), above. On corner lots, buildings and their entrances shall be oriented to the street corner; parking, driveways and other vehicle areas shall be prohibited between buildings and street corners.

(g) Building Height:

(1) All buildings in the district shall comply with the following building height standards. The standards are intended to allow for development of buildings in accord with Section 66.1051. (Amended Ordinance 160-120809)

(2) Buildings shall be no more than 35 feet in height.

(3) If a parcel is larger than one acre and the proposed development is for a hotel/motel or hotel/condominium then the developer shall be able to increase the building height to 45 feet as follows: (Amended Ordinance 217-081313)

a. The floor area of the fourth story shall not exceed the floor area of the first floor retail or general restaurants, fast food restaurants, drive-in restaurants and take-out restaurants uses. The floor area used by the hotel/motel or hotel/condominium on the first floor shall not count as a retail type use. (Amended Ordinance 217-081313)

b. The fourth story shall be stepped back from the third story as approved by the Commission.

(g) Pedestrian Amenities.

(1) Purpose and Applicability. This section is intended to complement the building orientation standards in section 66.0322(e), and the street standards, by providing comfortable and inviting pedestrian spaces within the transition district. Pedestrian amenities contribute to a walkable district. This section applies to all of the following types of buildings:

a. Public and institutional buildings, except that the standard shall not apply to buildings which are not subject to site design review or those that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and

b. Business and mixed-use buildings subject to site design review.

c. One and two family dwellings.

(2) Guidelines and Standards. Every development shall provide and maintain a public sidewalk with a minimum width of six feet across the front of the parcel and side yard abutting a public street. (Amended Ordinance 217-081313)

(h) Special Standards Uses:

This section supplements the standards contained in section 66.0322(d) through 66.0322(g). It provides standards for the following land uses in order to control the scale and compatibility of those uses within the transition district:

(1) Mixed-use Development Allowed. Residential uses shall be permitted as an accessory use when part of a mixed-use development (residential with commercial use). Both "vertical" mixed-use (housing above the ground floor), and "horizontal" mixed-use (housing on the ground floor) developments are allowed.

(2) Residential Density. There is no minimum or maximum multifamily

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| | | | |
|----|---|-----|---|
| 1 | residential density standard. Density | 56 | private alleys, parking courts, etc.) |
| 2 | shall be controlled by the applica- | 57 | and building exteriors shall be |
| 3 | ble lot coverage, parking require- | 58 | maintained by an association or the |
| 4 | ments, landscaping requirements | 59 | owner. Copies of any applicable |
| 5 | and building height standards. | 60 | covenants, restrictions and condi- |
| 6 | (3) Parking, Garage and Driveway Ori- | 61 | tions shall be recorded and provid- |
| 7 | entation. All off-street vehicle park- | 62 | ed to the Village prior to zoning |
| 8 | ing, including surface lots and gar- | 63 | permit approval. |
| 9 | ages, loading docks and overhead | 64 | (7) Exemption. When the application of |
| 10 | doors shall be oriented to alleys, or | 65 | the off-street parking regulations |
| 11 | located in parking areas located be- | 66 | specified above result in a require- |
| 12 | hind or to the side of the building; | 67 | ment of not more than three spaces |
| 13 | except that side yards facing a street | 68 | on a single lot in the transition dis- |
| 14 | (i.e., corner yards) shall not be used | 69 | trict, such parking spaces need not |
| 15 | for surface parking. All garage en- | 70 | be provided. However, where two |
| 16 | trances facing a street (e.g., struc- | 71 | or more businesses are located on a |
| 17 | tured parking) shall be recessed be- | 72 | single lot, only one of these uses |
| 18 | hind the front building elevation by | 73 | shall be eligible for this exemption. |
| 19 | a minimum of four to six feet. On | 74 | This exemption shall not apply to |
| 20 | corner lots, garage entrances shall | 75 | dwelling units. |
| 21 | be oriented to a side street when | 76 | (8) Automobile-Oriented Uses and Fa- |
| 22 | access cannot be provided from an | 77 | ilities. Automobile-oriented uses |
| 23 | alley. | 78 | and facilities, as defined below shall |
| 24 | (4) Parking Spaces Required. The Vil- | 79 | conform to all of the following |
| 25 | lage recognizes the challenges of | 80 | standards in the transition district. |
| 26 | providing the necessary parking | 81 | The standards are intended to slow |
| 27 | spaces in the transition district and | 82 | traffic down and encourage walk- |
| 28 | thereby establishes the following | 83 | ing. |
| 29 | standard for the district. The de- | 84 | (9) Parking, Garages and Driveways. |
| 30 | tailed requirements for parking lots | 85 | All off-street vehicle parking, in- |
| 31 | and spaces are covered in section | 86 | cluding surface lots and garages, |
| 32 | 66.0403. [See page 81] The Plan | 87 | loading docks and overhead doors |
| 33 | Commission may allow a landown- | 88 | shall be accessed from alleys, or lo- |
| 34 | er to meet the parking requirement | 89 | located in parking areas located be- |
| 35 | by providing the required parking | 90 | hind or to the side of a building; ex- |
| 36 | spaces either on site, on another | 91 | cept that side yards on corner lots |
| 37 | privately owned site as required un- | 92 | shall not be used for surface park- |
| 38 | der section 66.0404 Adjustments to | 93 | ing. All garage entrances facing a |
| 39 | Required Parking [See page 86]. No | 94 | street (e.g., structured parking) shall |
| 40 | development shall avoid the need to | 95 | be recessed behind the front eleva- |
| 41 | provide parking spaces by claiming | 96 | tion by a minimum of six feet. On |
| 42 | credit for on street parking spaces or | 97 | corner lots, garage entrances shall |
| 43 | public parking lots. The parking | 98 | be oriented to a side street when |
| 44 | spaces required for motels, hotels, | 99 | vehicle access cannot be provided |
| 45 | all types of condominiums, access- | 100 | from an alley. |
| 46 | ory residential uses must be provided | 101 | (10) Other Garages and Accessory Build- |
| 47 | on site, and no fee in lieu of creat- | 102 | ings. (<i>Amended Ordinance 186-</i> |
| 48 | ing spaces in subsection (6) will be | 103 | <i>061411</i>) |
| 49 | allowed. | 104 | a. The Plan Commission may |
| 50 | (5) Fee In Lieu of Creating Parking | 105 | approve as a conditional use |
| 51 | Spaces. Please refer to Section | 106 | detached garages in the B-2 |
| 52 | 66.0404(b) [See page 86] (<i>Amended</i> | 107 | district for adjacent residen- |
| 53 | <i>Ordinance 120-061306</i>) | 108 | tial uses under the following |
| 54 | (6) Common Areas. All common areas | 109 | conditions: |
| 55 | (e.g., walkways, drives, courtyards, | | |

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SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION
DISTRICT

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION
DISTRICT

- 1 (Walk-up only teller ma-
- 2 chines and kiosks may be
- 3 oriented to a corner).
- 4 c. The facility is subordinate to
- 5 a primary permitted use.
- 6 "Subordinate" means all
- 7 components of the facility, in
- 8 total, occupy less street
- 9 frontage than the primary
- 10 commercial or public institu-
- 11 tional building.
- 12 d. No more than one drive-up,
- 13 drive-in or drive-through fa-
- 14 cility shall be permitted on
- 15 one block, or for a distance
- 16 of 400 linear feet along the
- 17 same street frontage, which-
- 18 ever is less.
- 19
- 20

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DISTRICT

SEC. 66.0322 B-2 DOWNTOWN BUSINESS TRANSITION
DISTRICT

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0323 B-3 DOWNTOWN BUSINESS DISTRICT

SEC. 66.0323 B-3 DOWNTOWN BUSINESS DISTRICT

- 1 **Sec. 66.0323 B-3 Downtown Business District** 50
- 2 The Downtown Business district (B-3) is intended 51
- 3 to apply to the Village's downtown business dis- 52
- 4 trict and Village center. This area is typified by 53
- 5 small lots, and buildings with minimal setbacks. 54
- 6 The downtown business district is intended to of- 55
- 7 fer greater flexibility in area requirements and set- 56
- 8 back requirements than other districts in order to 57
- 9 promote the reuse of buildings and lots and the 58
- 10 construction of new developments in the down- 59
- 11 town business district consistent with the existing 60
- 12 scale of development. The character, appearance 61
- 13 and operation of any business in the downtown 62
- 14 district should be compatible with any surround- 63
- 15 ing areas. The goal of the Village is to strengthen 64
- 16 the downtown district as the "heart" of the com- 65
- 17 munity and as the logical place for people to 66
- 18 gather and create a business center. The down- 67
- 19 town district is intended to support this goal 68
- 20 through elements of design and appropriate 69
- 21 mixed-use development. This section provides 70
- 22 standards for the orderly improvement and expan- 71
- 23 sion of the downtown district based on the follow- 72
- 24 ing principles: 73
- 25 • Development that is consistent with the 74
 - 26 natural environment. 75
 - 27 • Development that maintains the Village's 76
 - 28 traditional small town appearance, in 77
 - 29 which its housing, shops, work places, 78
 - 30 parks and civic facilities co-exist in rela- 79
 - 31 tive harmony. 80
 - 32 • Development that balances the needs of 81
 - 33 a resort town and a residential village. 82
 - 34 • Efficient use of land and urban services. 83
 - 35 • A mixture of land uses to encourage 84
 - 36 walking as an alternative to driving, pro- 85
 - 37 vide more employment and housing op- 86
 - 38 tions. 87
 - 39 • Downtown provides both formal and in- 88
 - 40 formal community gathering places. 89
 - 41 • The downtown district is connected to 90
 - 42 neighborhoods and other employment 91
 - 43 areas. 92
 - 44 • Designs that meet the architectural 93
 - 45 standards and enhance the Village's his- 94
 - 46 toric architecture. 95
- 47 (a) Permitted Uses: (Amended Ordinance 100
- 48 217-081313) 101
- 49 (1) Antique and collectors stores 102
- 103
- 104
- 105
- (2) Art galleries or studios for photog- 50
 - raphy, painting, music, sculpture, 51
 - dance, pottery and jewelry 52
 - (3) Art supply stores 53
 - (4) Barber shops, beauty salons and 54
 - spas 55
 - (5) Bed and breakfasts 56
 - (6) Boat sales 57
 - (7) Book or stationery stores 58
 - (8) Camera and photographic supply 59
 - stores 60
 - (9) Cinema, theater or performance hall 61
 - (10) Clothing stores 62
 - (11) Convenience store 63
 - (12) Craft stores 64
 - (13) Dance studio 65
 - (14) Florists 66
 - (15) Food stores 67
 - (16) Gasoline service stations as of Sep- 68
 - tember 1, 2010 69
 - (17) Gift shops 70
 - (18) Hardware stores 71
 - (19) Hobby and craft shops 72
 - (20) Hotel/motel 73
 - (21) Hotel/condominium 74
 - (22) Infrastructure essential services 75
 - (23) Information centers 76
 - (24) Jewelry stores 77
 - (25) Licensed massage therapy and body 78
 - work as certified by the State 79
 - (26) Marinas 80
 - (27) Municipal utility facilities 81
 - (28) Music stores 82
 - (29) Newspaper and magazine stores 83
 - (30) Parks 84
 - (31) Photography studios 85
 - (32) Physical fitness centers 86
 - (33) Public parking lots 87
 - (34) Real estate offices 88
 - (35) Restaurants 89
 - (36) Retail electronic equipment sales 90
 - (37) Self-service laundry and dry- 91
 - cleaning 92
 - (38) Shoe and leather goods stores 93
 - (39) Single family housing as of January 94
 - 1, 2004 95
 - (40) Sporting goods stores 96
 - (41) Taverns or cocktail lounges 97
 - (42) Tobacco stores 98
 - (43) Travel agencies 99
 - (44) Variety stores 100
 - (45) Video tape sales and rental 101
- (b) Conditional Uses: (Amended Ordinance 102
- 217-081313) 103
- (1) Commercial recreation facilities (in- 104
 - door and outdoor), such as arcades, 105

VILLAGE OF SISTER BAY ZONING CODE

- 1 bowling alleys, clubs, dance halls, 53
- 2 driving ranges, gymnasiums, health 54
- 3 clubs, miniature golf facilities, pool 55
- 4 and billiard halls and indoor skating 56
- 5 rinks. 57
- 6 (2) Liquor stores 58
- 7 (3) Solar energy as accessory structure 59
- 8 (4) Non-village utility facilities 60
- 9 (5) Gasoline stations or automobile re- 61
- 10 pair 62
- 11 (c) Permitted Accessory Uses: (*Amended Or-* 63
- 12 *dinance 217-081313*) 64
- 13 (1) Accessory uses and structures. See 65
- 14 section 66.0501 [See page 92] 66
- 15 (2) Outdoor displays. See section 67
- 16 66.0506 [See page 102] 68
- 17 (3) Professional offices 69
- 18 (4) Accessory residential use. Residen- 70
- 19 tial units and commercial transient 71
- 20 lodging located on a ground or non- 72
- 21 ground level on the same property 73
- 22 shall be allowed with the minimum 74
- 23 floor area as provided below. The 75
- 24 on-site parking required for the ac- 76
- 25 cessory residential units must be 77
- 26 available on site and cannot be lo- 78
- 27 cated elsewhere through the pay- 79
- 28 ment of a fee as allowed under sec- 80
- 29 tion 66.0322(h)(4) and (5). 81

| <i>Bedrooms</i> | <i>Minimum area</i> |
|-----------------|---------------------|
| Efficiency | 700 |
| 1 | 750 |
| 2 or more | 850 |

- 30 (d) Building Setbacks: 86
- 31 In the downtown district, buildings are 87
- 32 placed closer to the street to create a 88
- 33 vibrant pedestrian environment, to slow traf- 89
- 34 fic down, provide a storefront character to 90
- 35 the street and encourage walking. The set- 91
- 36 back standards are flexible to encourage 92
- 37 public spaces between sidewalks and 93
- 38 building entrances (e.g., extra-wide side- 94
- 39 walks, plazas, squares, outdoor dining are- 95
- 40 as and pocket parks). The standards also 96
- 41 encourage the formation of solid blocks of 97
- 42 commercial and mixed-use buildings for a 98
- 43 walkable downtown. Building setbacks are 99
- 44 measured from the respective property 100
- 45 line. Setbacks for porches are measured 101
- 46 from the edge of the deck or porch to the 102
- 47 property line. The setback standards, as 103
- 48 listed below, apply to primary structures as 104
- 49 well as accessory structures. 105
- 50 (1) Front Yard Setbacks. The minimum 106
- 51 front yard setback is 40 feet from 107
- 52 the centerline of the street right-of- 108

- way or 20 feet from the face of the 109
- curb, whichever is more, except 110
- where a parcel adjoins the side lot 111
- line of another parcel fronting on 112
- the same street with a lesser set- 113
- back, in which case the minimum 114
- front yard setback shall be the aver- 115
- age of the setback of the new build- 116
- ing and the setback of the adjoining 117
- parcel with the least setback. The 118
- setback for a reconstructed non- 119
- conforming structure shall be no 120
- closer than eight feet from the right- 121
- of-way to provide for the installation 122
- of an six foot public sidewalk. 123
- (2) Rear Yard Setbacks. 124
- a. Minimum Setback. The min- 125
- imum rear yard setback for 126
- all structures shall be six feet 127
- for street access lots, and 128
- eight feet for alley access lots 129
- (distance from building to 130
- rear property line or alley 131
- easement) in order to provide 132
- space for parallel parking. 133
- b. Through-Lots. For buildings 134
- on through-lots (lots with 135
- front and rear frontage onto a 136
- street), the front yard set- 137
- backs in 66.0323(d)(1) shall 138
- apply. 139
- (3) Side Yard Setbacks. The minimum 140
- side yard setback shall be at least 141
- six feet. The Plan Commission may 142
- grant a waiver where the adjoining 143
- property owners enter into a written 144
- recordable agreement adjusting the 145
- minimum side yard setback with the 146
- following options: (*Amended Ordinance* 147
- 161-120809*) 148
- a. Both parties can agree to a 149
- zero foot side setback if the 150
- building designs are compat- 151
- ible. 152
- b. If only one of the buildings 153
- has a zero foot side setback 154
- then the other building must 155
- have a six-foot side setback. 156
- c. Both parties can agree to 157
- three-foot side setbacks for a 158
- total of six feet side setback 159
- between the buildings. 160
- (4) Lot Coverage 161
- a. Lot Coverage. There shall be 162
- a minimum of 10 percent 163
- open space and the balance 164

VILLAGE OF SISTER BAY ZONING CODE

1 shall not include the required 57
2 parking, driveways and 58
3 sidewalks on the lot as re- 59
4 quired by section 60
5 66.1050(a)(23). (Amended 61
6 Ordinance 159-120809) 62
7 (5) Lot Area and Width 63
8 a. Lot Area. The minimum lot 64
9 area shall be 4,500 square 65
10 feet. 66
11 b. Lot Width. The minimum lot 67
12 width shall be 45 feet. 68
13 (6) PUD Allowed. The Plan Commis- 69
14 sion and Board of Trustees may vary 70
15 the Building Setback requirements 71
16 subject to the provisions of the 72
17 Planned Unit Development re- 73
18 quirements in section 66.0341. 74
19 (e) Block Layout and Building Orientation: 75
20 This section is intended to promote the 76
21 walkable, storefront character of down- 77
22 town by forming short blocks and orienting 78
23 (placing or locating) buildings close to 79
24 streets. Placing buildings close to the street 80
25 also slows traffic down and provides more 81
26 "eyes on the street," increasing the safety 82
27 of public spaces. The standards, as listed 83
28 below compliment the front yard setback 84
29 standards in section 66.0323(d). 85
30 (1) Applicability. This section applies to 86
31 new land divisions and all of the 87
32 following types of development 88
33 (i.e., subject to site design review) 89
34 and compliance with all of the pro- 90
35 visions of subsections (a) and (b), 91
36 below, shall be required: 92
37 a. Public and institutional 93
38 buildings, except that the 94
39 standard shall not apply to 95
40 buildings which are not sub- 96
41 ject to site design review or 97
42 those that do not receive the 98
43 public (e.g., buildings used 99
44 solely to house mechanical 100
45 equipment, and similar uses); 101
46 and 102
47 b. Business and mixed-use 103
48 buildings subject to site de- 104
49 sign review. 105
50 (2) Block Layout Standard. New land 106
51 divisions and developments, which 107
52 are subject to site design review, 108
53 shall be configured to provide an al- 109
54 ley or interior parking court. Blocks 110
55 (areas bound by public street right- 111
56 of-way) shall have a length not ex- 112

ceeding 400 feet, and a depth not
exceeding 400 feet. Pedestrian
pathways shall be provided from the
street right-of-way to interior park-
ing courts between buildings, as
necessary to ensure reasonably safe,
direct and convenient access to
building entrances and off-street
parking.
(3) Building Orientation Standard. All
of the developments listed in sec-
tion 66.0323(e)(1) shall be oriented
to a street. The building orientation
standard is met when all of the fol-
lowing criteria are met:
a. The minimum and maximum
setback standards in section
66.0323(d) are met;
b. Buildings have their primary
entrance(s) oriented to (fac-
ing) the street. Building en-
trances may include entranc-
es to individual units, lobby
entrances, entrances oriented
to pedestrian plazas, or
breezeway courtyard en-
trances (i.e., to a cluster of
units or commercial spaces).
Alternatively, a building may
have its entrance facing a
side yard when a direct pe-
destrian walkway not ex-
ceeding 50 feet in length is
provided between the build-
ing entrance and the street
right-of-way.
c. Off-street parking, driveways
or other vehicular circulation
shall not be placed between
a building and the street,
which is used to comply with
subsection 66.0323(e)(2),
above. On corner lots, build-
ings and their entrances shall
be oriented to the street cor-
ner, parking, driveways and
other vehicle areas shall be
prohibited between buildings
and street corners.
(f) Building Height:
(1) All buildings in the downtown dis-
trict shall comply with the following
building height standards. The
standards are intended to allow for
development of buildings in accord
with Section 66.1050 with a store-

VILLAGE OF SISTER BAY ZONING CODE

1 front character. (*Amended Ordinance 160-120809*) 56
2 57
3 (2) Buildings shall be no more than 35 feet in height. 58
4 59
5 (3) Accessory residential housing shall comply with section 66.0323(c)(4) and section 66.0323(h) 60
6 61
7 62
8 (4) If a parcel is larger than one acre and the proposed development is for a hotel/motel or hotel/condominium then the developer shall be able to increase the building height to 45 feet as follows: (*Amended Ordinance 217-081313*) 63
9 64
10 65
11 66
12 67
13 68
14 69
15 a. The floor area of the fourth story shall not exceed the floor area of the first floor retail or general restaurants, fast food restaurants, drive-in restaurants and take-out restaurants uses. The floor area used by the hotel/motel or hotel/condominium on the first floor shall not count as a retail type use. (*Amended Ordinance 217-081313*) 70
16 71
17 72
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24 79
25 80
26 81
27 b. The fourth story shall be stepped back from the third story as approved by the Commission. 82
28 83
29 84
30 85
31 (g) Pedestrian Amenities 86
32 (1) Purpose and Applicability. This section is intended to complement the building orientation standards in section 66.0323(e), and the street standards, by providing comfortable and inviting pedestrian spaces within the downtown district. Pedestrian amenities serve as informal gathering places for socializing, resting and enjoyment of the Village's downtown, and contribute to a walkable district. This section applies to all of the following types of buildings: 87
33 88
34 89
35 90
36 91
37 92
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40 95
41 96
42 97
43 98
44 99
45 100
46 a. Public and institutional buildings, except that the standard shall not apply to buildings which are not subject to site design review or those that do not receive the public (e.g., buildings used solely to house mechanical equipment, and similar uses); and 101
47 102
48 103
49 104
50 105
51 106
52 107
53 108
54 109
55 110

b. Business and mixed-use buildings subject to site design review.
(2) Guidelines and Standards. Every development shall provide and maintain a public sidewalk with a minimum width of six feet across the front of the parcel and side yard abutting a public street, an additional 14 feet of landscaping and one or more of the "pedestrian amenities" listed in (a)-(d) below. Other types of amenities and designs may be used. Pedestrian amenities may be provided within a public right-of-way when approved by the applicable jurisdiction. (*Amended Ordinance 217-081313*)
a. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of eight feet);
b. Sitting space (i.e., dining area, benches, gazebos or ledges between the building entrance and sidewalk (minimum of 16 inches in height and 30 inches in width));
c. Building canopy, awning, pergola or similar weather protection (minimum projection of four feet over a sidewalk or other pedestrian space).
d. Streetscape, which incorporates landscaping, seating, fountain, sculpture etc.
(h) Special Standards Uses:
This section supplements the standards contained in section 66.0322(d) through 66.0322(g). It provides standards for the following land uses in order to control the scale and compatibility of those uses within the district: (*Amended Ordinance 217-081313*)
(1) Mixed-use Development Allowed. Residential uses shall be permitted as an accessory use when part of a mixed-use development (residential with commercial use). Both "vertical" mixed-use (housing above the ground floor), and "horizontal" mixed-use (housing on the ground floor) developments are allowed.

VILLAGE OF SISTER BAY ZONING CODE

- 1 (2) Residential Density. There is no 56
2 minimum or maximum residential 57
3 density standard. Density shall be 58
4 controlled by the applicable lot 59
5 coverage, parking requirements, 60
6 landscaping requirements and 61
7 building height standards. (*Amend-* 62
8 *ed Ordinance 217-081313*) 63
9 (3) Parking, Garage and Driveway Ori- 64
10 entation. All off-street vehicle park- 65
11 ing, including surface lots and gar- 66
12 ages, loading docks and overhead 67
13 doors shall be oriented to alleys, or 68
14 located in parking areas located be- 69
15 hind or to the side of the building; 70
16 except that side yards facing a street 71
17 (i.e., corner yards) shall not be used 72
18 for surface parking. All garage en- 73
19 trances facing a street (e.g., struc- 74
20 tured parking) shall be recessed be- 75
21 hind the front building elevation by 76
22 a minimum of four to six feet. On 77
23 corner lots, garage entrances shall 78
24 be oriented to a side street when 79
25 access cannot be provided from an 80
26 alley. 81
27 (4) Parking Spaces Required. The Vil- 82
28 lage recognizes the challenges of 83
29 providing the necessary parking 84
30 spaces in the district and thereby es- 85
31 tablishes the following standard for 86
32 the district. The detailed require- 87
33 ments for parking lots and spaces 88
34 are covered in section 66.0403. 89
35 [See page 81] The Plan Commission 90
36 may allow a landowner to meet the 91
37 parking requirement by providing 92
38 the required parking spaces either 93
39 on site, on another privately owned 94
40 site as required under section 95
41 66.0404 Adjustments to Required 96
42 Parking [See page 86]. No devel- 97
43 opment shall avoid the need to pro- 98
44 vide parking spaces by claiming 99
45 credit for on street parking spaces or 100
46 public parking lots. The parking 101
47 spaces required for motels, hotels, 102
48 all types of condominiums, access- 103
49 sory residential uses must be provided 104
50 on site, and no fee in lieu of creat- 105
51 ing spaces in subsection (6) will be 106
52 allowed. (*Amended Ordinance 217-* 107
53 *081313*) 108
54 (5) Fee In Lieu of Creating Parking 109
55 Spaces. Please refer to Section 110
111
112
49
- 66.0404(b) [See page 86] (Amended Ordinance 120-061306)
- (6) Common Areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by an association or the owner. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the Village prior to zoning permit approval.
- (7) Exemption. When the application of the off-street parking regulations specified above result in a requirement of not more than three spaces on a single lot in the district, such parking spaces need not be provided. However, where two or more businesses are located on a single lot, only one of these uses shall be eligible for this exemption. This exemption shall not apply to dwelling units. (*Amended Ordinance 217-081313*)
- (8) Automobile-Oriented Uses and Facilities. Automobile-oriented uses and facilities, as defined below shall conform to all of the following standards in the district. The standards are intended to slow traffic down and encourage walking. (*Amended Ordinance 217-081313*)
- (9) Parking, Garages and Driveways. All off-street vehicle parking, including surface lots and garages, loading docks and overhead doors shall be accessed from alleys, or located in parking areas located behind or to the side of a building; except that side yards on corner lots shall not be used for surface parking. All garage entrances facing a street (e.g., structured parking) shall be recessed behind the front elevation by a minimum of six feet. On corner lots, garage entrances shall be oriented to a side street when vehicle access cannot be provided from an alley.
- (10) Lots shall count rights of way to center line for purposes of calculating area, setbacks and open space.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0323 B-3 DOWNTOWN BUSINESS DISTRICT

SEC. 66.0323 B-3 DOWNTOWN BUSINESS DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

- 1 **Other Districts** 54
- 2 **Sec. 66.0330 I-1 Institutional District** 55
- 3 The I-1 Institutional district is intended to elimi- 56
- 4 nate the ambiguity of maintaining, in unrelated 57
- 5 use districts, areas that are under public, public 58
- 6 related or private ownership and where the use 59
- 7 for public purpose is anticipated to be permanent. 60
- 8 Uses permitted shall generally serve the public 61
- 9 benefit. 62
- 10 (a) Permitted Uses: 63
- 11 (1) Public or private primary and sec- 64
- 12 ondary schools. 65
- 13 (2) Colleges, and universities, exclud- 66
- 14 ing fraternity and sorority houses. 67
- 15 (3) Churches. 68
- 16 (4) Hospitals, sanatoriums and nursing 69
- 17 homes. 70
- 18 (5) Libraries, community centers, mu- 71
- 19 seums and public art galleries. 72
- 20 (6) Public administrative offices and 73
- 21 public service buildings, including 74
- 22 fire and police stations; but exclud- 75
- 23 ing firing ranges and outdoor “burn 76
- 24 buildings” used for fire-fighting in- 77
- 25 struction. 78
- 26 (7) Public utility offices. 79
- 27 (b) Permitted Accessory Uses: 80
- 28 (1) Residential quarters for caretakers, 81
- 29 clergy or institutional staff. 82
- 30 (2) Garages for storage of vehicles used 83
- 31 in conjunction with the operation of 84
- 32 a permitted use. 85
- 33 (3) Service buildings and facilities nor- 86
- 34 mally accessory to the permitted 87
- 35 use. 88
- 36 (4) Ground-mounted and building- 89
- 37 mounted earth station dish and ter- 90
- 38 restrial antennas. 91
- 39 (5) Roof-mounted solar collectors. 92
- 40 (6) Municipally owned wells, pumping 93
- 41 stations, water towers and reservoirs 94
- 42 and municipally owned telecom- 95
- 43 munications towers and antennas, 96
- 44 provided they are located at least 50 97
- 45 feet away from any lot line. 98
- 46 (7) Any other usual and customary uses 99
- 47 accessory to the above permitted 100
- 48 uses as determined by the Zoning 101
- 49 Administrator or his/her designee. 102
- 50 (c) Conditional Uses: 103
- 51 (1) All permitted uses allowed in the B- 104
- 52 1 district. 105
- 53 (2) Cemeteries and crematories. 106
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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0330 I-1 INSTITUTIONAL DISTRICT

SEC. 66.0330 I-1 INSTITUTIONAL DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

- 1 **Sec. 66.0331 P-1 Park District** 56
- 2 The P-1 Park district is intended to provide for ar- 57
- 3 eas where the open space and recreational needs, 58
- 4 both public and private, of the citizens of the Vil- 59
- 5 lage can be met without undue disturbance of 60
- 6 natural resources and adjacent uses. 61
- 7 (a) Permitted Uses: 62
- 8 (1) Public botanical gardens and arbo- 63
- 9 retums. 64
- 10 (2) Public historic monuments or sites. 65
- 11 (3) Public hiking, biking, jogging and 66
- 12 nature trails. 67
- 13 (4) Public parks, beaches, playgrounds 68
- 14 and parkways. 69
- 15 (5) Farm markets. No items shall be 70
- 16 sold which were purchased for re- 71
- 17 sale. (Amended Ordinance 150- 72
- 18 050409) 73
- 19 (b) Permitted Accessory Uses: 74
- 20 (1) Buildings accessory to the permitted 75
- 21 use. 76
- 22 (2) Ground-mounted and building- 77
- 23 mounted earth station dishes and 78
- 24 terrestrial antennas. 79
- 25 (3) Solar collectors attached to the 80
- 26 principal structure. 81
- 27 (4) Any other usual and customary uses 82
- 28 accessory to the above permitted 83
- 29 uses as determined by the Zoning 84
- 30 Administrator or his/her designee. 85
- 31 (5) Garden plots. (Amended Ordinance 86
- 32 150-050409) 87
- 33 (c) Conditional Uses: 88
- 34 (1) Public or private archery ranges. 89
- 35 (2) Private botanical gardens and arbo- 90
- 36 retums. 91
- 37 (3) Private beaches. 92
- 38 (4) Public or private boat moorings and 93
- 39 rentals. 94
- 40 (5) Private or public campgrounds. 95
- 41 (6) Private driving ranges. 96
- 42 (7) Public or private golf courses.
- 43 (8) Private gymnasiums.
- 44 (9) Private historic monuments or sites.
- 45 (10) Private hiking, biking, jogging and
- 46 nature trails.
- 47 (11) Private or public marinas.
- 48 (12) Private miniature golf courses.
- 49 (13) Private parks, playgrounds and
- 50 parkways.
- 51 (14) Private riding academies.
- 52 (15) Private stadiums.
- 53 (16) Private trampoline centers.
- 54 (17) Utility substations, municipal wells,
- 55 pumping stations and towers if the
- use is not less than 50 feet from any lot line.
- (18) Solar energy collectors erected as an accessory structure.
- (19) All the conditional uses allowed in the CS-1 district.
- (20) All the permitted and conditional uses allowed in the I-1 district.
- (d) Building Height and Area:
- (1) No building or part of a building shall exceed 35 feet in height.
- (2) The total of the floor area on all floors of the principal building and all accessory buildings including the required parking, driveways and sidewalks shall not exceed 20 percent of the lot area, which shall be left as open space. (Amended Ordinance 159-120809)
- (e) Setbacks:
- (1) There shall be a minimum building front setback of a least 50 feet from the centerline of the right-of-way of all streets.
- (2) There shall be a minimum front setback of at least 40 feet from the edge of the easement or edge of pavement for all buildings not on a public street.
- (3) There shall be a side setback of at least 50 feet and rear setback of at least 50 feet for all principle buildings.
- (4) Accessory buildings shall meet the same setbacks as principal buildings in the district. Other accessory building requirements are listed in section 66.0501 [See page 92] of this chapter. (Amended Ordinance 207-100912)

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0331 P-1 PARK DISTRICT

SEC. 66.0331 P-1 PARK DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Overlay Districts** 55
2 Overlay districts provide for the possibility of su- 56
3 perimposing certain additional requirements upon 57
4 a basic zoning district without disturbing the re- 58
5 quirements of the basic district. The uses of the 59
6 underlying standard zoning district shall remain in 60
7 force. 61
8 **Sec. 66.0340 W-1 Wetland Overlay District** 62
9 The purpose of the Wetland Overlay district (W-1) 63
10 is to maintain safe and healthful conditions, to 64
11 prevent water pollution, to protect fishing spawn- 65
12 ing grounds and aquatic life, to preserve shore 66
13 cover and natural beauty, and to preserve, pro- 67
14 tect, and enhance the lakes, streams, swamps, 68
15 marshes, bogs and other wetlands in the Village. 69
16 The proper regulation of these areas will serve to 70
17 maintain and improve groundwater and surface 71
18 water quality; prevent flood damage, protect fish 72
19 and wildlife habitat; prohibit the location of struc- 73
20 tures on soils which are generally not suitable for 74
21 such use; protect natural watersheds; and protect 75
22 the water based recreation and open space re- 76
23 sources of the Village. The W-1 district recognizes 77
24 that undisturbed wetlands serve as natural purifi- 78
25 er's of surface waters and as protective buffers at 79
26 the land water interface. Development in wet- 80
27 lands should be limited and when development is 81
28 permitted in a wetland, it should occur in a man- 82
29 ner that minimizes the adverse impacts upon the 83
30 wetlands. 84
31 Boundaries of the W-1 district were based on the 85
32 wetlands that were identified on the Wisconsin 86
33 Wetland Inventory Map for the Village of Sister 87
34 Bay, dated July 1, 1992. The wetlands included as 88
35 W-1 are those wetlands that are two acres or 89
36 more in area and lie within 300 feet of a naviga- 90
37 ble stream, 1,000 feet from a lake or pond or to 91
38 the landward side of a floodplain, whichever is 92
39 greater. 93
40 (a) Permitted Uses. 94
41 (1) Hiking, fishing, swimming and boat- 95
42 ing, unless prohibited by other laws 96
43 and ordinances. 97
44 (2) Harvesting of wild crops, such as 98
45 marsh hay, ferns, moss, wild rice, 99
46 berries, tree fruits and tree seeds, in 100
47 a manner that is not injurious to the 101
48 natural reproduction of such crops, 102
49 and that does not involve filling, 103
50 flooding, draining, dredging, ditch- 104
51 ing, tiling, or excavating. 105
52 (3) Silviculture (forest maintenance), 106
53 including the planting, thinning, 107
54 and harvesting of timber, provided 108
109
110

that no filling, flooding, draining, 111
dredging, ditching, tiling, or exca- 112
vating is done except for temporary 113
water level stabilization measures to 114
alleviate abnormally wet or dry 115
conditions which would have an 116
adverse impact on silvicultural ac- 117
tivities if not corrected. 118
(4) Construction and maintenance of 119
fences. 120
(5) Existing agricultural uses provided 121
that they do not involve extension 122
of cultivated areas, extension of or 123
creation of new drainage systems, 124
and further provided that they do 125
not substantially disturb or impair 126
the natural fauna (animals), flora 127
(plants), topography, or water regi- 128
men. 129
(6) Aquaculture (the growing of plants 130
and animals in water), provided it 131
does not disturb or impair the natu- 132
ral biota (plants and animals). 133
(7) The maintenance, repair, replace- 134
ment and reconstruction of existing 135
public streets, roads, bridges and 136
drainageways. 137
(b) Conditional Uses. 138
(1) The construction of streets which 139
are necessary for the continuity of 140
the Village street system, necessary 141
for the provision of essential utility 142
and public safety services, or neces- 143
sary to provide access to permitted 144
open space uses, provided that: 145
a. The street cannot as a practi- 146
cal matter be located outside 147
the W-1 district; 148
b. The street is designed and 149
constructed to minimize ad- 150
verse impact upon the natu- 151
ral functions of the wetland 152
as listed in section 153
66.1708(b) [See page 165] of 154
this chapter; 155
c. The street is designed and 156
constructed with the mini- 157
mum cross section practical 158
to serve the intended use; 159
d. The street construction ac- 160
tivities are carried out in the 161
immediate area of the road- 162
bed only; and 163
e. Any filling, flooding, drain- 164
ing, dredging, ditching, tiling 165
or excavating that is done 166

VILLAGE OF SISTER BAY ZONING CODE

1 must be necessary for the 57
2 construction or maintenance 58
3 of the street. 59
4 (2) The construction and maintenance 60
5 of non-residential buildings used 61
6 solely in conjunction with raising of 62
7 waterfowl, minnows, or other wet- 63
8 land or aquatic animals or used 64
9 solely for some other purpose which 65
10 is compatible with natural resource 66
11 preservation, provided that: 67
12 a. The building cannot as a 68
13 practical matter be located 69
14 outside the conservancy dist- 70
15 rict; 71
16 b. The building is not designed 72
17 for human habitation and 73
18 does not exceed 500 square 74
19 feet in area; and 75
20 c. Only limited filling or exca- 76
21 vating necessary to provide 77
22 structural support is con- 78
23 ducted. 79
24 (3) The establishment and development 80
25 of public and private parks and rec- 81
26 reation areas, recreation trails, pub- 82
27 lic boat access sites, natural and 83
28 outdoor education areas, historic 84
29 and scientific areas, wildlife refuges, 85
30 game preserves, and private habitat 86
31 areas, provided that: 87
32 a. Parks shall be limited to pas- 88
33 sive activities. No ball dia- 89
34 monds, tennis courts, play- 90
35 fields, playgrounds or other 91
36 active recreation areas shall 92
37 be constructed in a wetland; 93
38 b. Any private recreation or 94
39 wildlife habitat area must be 95
40 exclusively for that purpose; 96
41 c. No filling is to be done; and 97
42 d. Ditching, excavating, dredg- 98
43 ing, dike and dam construc- 99
44 tion may be done in wildlife 100
45 refuges, game preserves and 101
46 private wildlife habitat areas, 102
47 but only for improving wild- 103
48 life habitat or to otherwise 104
49 enhance the value of a wet- 105
50 land or other natural re- 106
51 source. 107
52 (4) The construction and maintenance 108
53 of electric, gas, telephone, water
54 and sewer transmission and distri-
55 bution lines, and related facilities,
56 by public utilities and cooperative

associations organized for the pur-
pose of producing or furnishing
heat, light, power or water to mem-
bers and customers located outside
of the W-1 district, provided that:
a. The transmission and distri-
bution lines and related facil-
ities cannot as a practical
matter be located outside the
conservancy district; and
b. Any filling, draining, dredg-
ing, ditching, or excavating
that is done must be neces-
sary for the construction or
maintenance of the utility,
and must be done in a man-
ner designed to minimize
flooding and other adverse
impacts upon the natural
functions of the conservancy
area.
(5) Ditching, tiling, dredging, excavat-
ing or filling done to maintain or re-
pair an existing agricultural drain-
age system only to the extent neces-
sary to maintain the level of drain-
age required to continue the exist-
ing agricultural use.
(6) The construction and maintenance
of piers, docks and walkways, in-
cluding those built on pilings.
(c) Prohibited Uses.
(1) Any use not listed as a permitted
use or a conditional use is prohibi-
ted unless the W-1 district lands
concerned are first rezoned into an-
other district.
(2) The use of a boathouse for human
habitation and the construction or
placement of a boathouse or fixed
houseboat below the ordinary high-
water mark of any navigable water
is prohibited.
(d) Wetlands Used for Density Calculation.
Where a lot is located partially within a W-
1 district and partially within an adjoining
use district, that area of the parcel in the
W-1 district may be used to meet the min-
imum lot area requirements; provided that
adequate adjacent upland space is availa-
ble for the structure and related grading.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0340 W-1 WETLAND OVERLAY DISTRICT

SEC. 66.0340 W-1 WETLAND OVERLAY DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Sec. 66.0341 PUD Planned Unit Development** 48
 2 **Overlay District** 49
 3 The PUD Planned Unit Development Overlay dis- 50
 4 trict is intended to permit developments that will, 51
 5 over a period, be enhanced by coordinated area 52
 6 site planning, diversified location of structures, di- 53
 7 versified building types and/or mixing of compati- 54
 8 ble uses. Such developments are intended to pro- 55
 9 vide a safe and efficient system for pedestrian and 56
 10 vehicle traffic; to provide attractive recreation and 57
 11 open spaces as integral parts of the developments; 58
 12 to enable economic design in the location of pub- 59
 13 lic and private utilities and community facilities; 60
 14 and to ensure adequate standards of construction 61
 15 and planning. The PUD overlay district under this 62
 16 chapter will allow for flexibility of overall devel- 63
 17 opment design with benefits from such design 64
 18 flexibility intended to be derived by both the de- 65
 19 veloper and the community, while at the same 66
 20 time maintaining insofar as possible the land use 67
 21 density and other standards or use requirements 68
 22 set forth in the underlying basic zoning district. 69
 23 (a) Permitted uses. 70
 24 Uses permitted in a PUD district shall con- 71
 25 form to uses permitted in the underlying 72
 26 basic use district. Individual structures shall 73
 27 comply with the specific building area and 74
 28 height requirements of the underlying basic 75
 29 use district. All open space and parking re- 76
 30 quirements of the underlying basic use dis- 77
 31 trict shall be complied with either individ- 78
 32 ually or by providing the combined open 79
 33 space and parking space required for the 80
 34 entire development in one or more loca- 81
 35 tions within the development. 82
 36 (b) Minimum area requirements. 83
 37 (1) Areas designated as PUD districts 84
 38 shall be under single or corporate 85
 39 ownership or control, and shall con- 86
 40 tain a minimum development area 87
 41 of: 88
 42

| <i>Principal Uses</i> | <i>Minimum Area of PUD</i> |
|-----------------------|--------------------------------|
| Residential PUD | 1.0 acres |
| Business PUD | 1.5 acres |
| Mixed Compatible Use | 1.5 acres |

43
 44 (c) Procedural requirements. 99
 45 (1) Pre-Application Conference. Prior to 100
 46 the official submission of the appli- 101
 47 cation for the approval of a PUD 102

district, the owner or agent making such application shall meet with the Zoning Administrator to discuss the scope and proposed nature of the contemplated development.

(2) Application. Following the pre-application conference, the owner or his/her agent may file an application with the Zoning Administrator for approval of a PUD district. Such application shall be accompanied by a filing fee, as required by the Municipal Code of the Village, and the following information:

a. A statement which sets forth the relationship of the proposed PUD to the Village's adopted master plan, or any adopted component thereof, and the general character of and the uses to be included in the proposed PUD, including, but not limited to, the following information:

1. Total area to be included in the PUD, area of open space, residential density computations, the amount of business space by type of use, proposed number of dwelling units, population analysis, availability of or requirements for municipal services and any other similar data pertinent to a comprehensive evaluation of the proposed development.
2. A general summary of the estimated value of structures and site improvement costs, including landscaping and special features.
3. A general outline of the organizational structure of a property owners' or management association, which may be proposed to be established for providing

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

| | | | | | |
|----|----|--|-----|-----|---|
| 1 | | any necessary private | 56 | | uses, including |
| 2 | | services. | 57 | | schools, parks and |
| 3 | 4. | Any proposed departures from the standards of development as set forth in the Village zoning regulations, other Village regulations or administrative rules, or other universal guidelines. | 58 | | drainageways. |
| 4 | | | 59 | 5. | The type, size and location of all structures. |
| 5 | | | 60 | | |
| 6 | | | 61 | 6. | General landscape treatment. |
| 7 | | | 62 | | |
| 8 | | | 63 | 7. | Architectural plans, elevation, and perspective drawings and sketches illustrating the design and character of proposed structures. |
| 9 | | | 64 | | |
| 10 | | | 65 | | |
| 11 | | | 66 | | |
| 12 | 5. | The expected dates of commencement and completion of physical development as set forth in the proposal. If the PUD is to be developed in phases, a phasing plan setting forth the starting and completion dates of each phase shall be submitted. If applicable, a statement indicating the type of Federal or State program being used to provide a subsidy or less-than-market rents for the units proposed. | 67 | | |
| 13 | | | 68 | 8. | The existing and proposed location of public sanitary sewer and water supply facilities. |
| 14 | | | 69 | | |
| 15 | | | 70 | 9. | The existing and proposed location of all private utilities or other easements. |
| 16 | | | 71 | | |
| 17 | | | 72 | 10. | Characteristics of soils related to contemplated specific uses. |
| 18 | | | 73 | | |
| 19 | | | 74 | 11. | Existing topography on the site with contours at no greater than two-foot intervals. |
| 20 | | | 75 | | |
| 21 | | | 76 | 12. | Anticipated uses of adjoining lands in regard to roads, surface water drainage and compatibility with existing adjacent land uses. |
| 22 | | | 77 | | |
| 23 | | | 78 | 13. | Anticipated phasing of the development, if applicable. |
| 24 | | | 79 | | |
| 25 | | | 80 | (3) | Referral to Plan Commission. The application for a PUD district shall be referred to the Plan Commission for its review and recommendation, including any additional conditions or restrictions, which it may deem necessary or appropriate. For such an application, property owners within 300 feet of the subject property will be sent a notice of the meeting at which it will be discussed. In addition to the notice, a copy of the Plan Commission report |
| 26 | b. | A general development plan including, but not limited to: | 81 | | |
| 27 | | | 82 | | |
| 28 | 1. | A legal description of the boundaries of the subject property included in the proposed PUD and its relationship to surrounding properties. | 83 | | |
| 29 | | | 84 | | |
| 30 | | | 85 | | |
| 31 | | | 86 | | |
| 32 | | | 87 | | |
| 33 | | | 88 | | |
| 34 | | | 89 | | |
| 35 | | | 90 | | |
| 36 | | | 91 | | |
| 37 | | | 92 | | |
| 38 | | | 93 | | |
| 39 | | | 94 | | |
| 40 | | | 95 | | |
| 41 | 2. | The location of public and private roads, driveways and parking facilities. | 96 | | |
| 42 | | | 97 | | |
| 43 | | | 98 | | |
| 44 | | | 99 | | |
| 45 | | | 100 | | |
| 46 | 3. | The size, arrangement and location of any individual building sites and proposed building groups on each individual site. | 101 | | |
| 47 | | | 102 | | |
| 48 | | | 103 | | |
| 49 | | | 104 | | |
| 50 | | | 105 | | |
| 51 | 4. | The location of institutional, recreational and open space areas and areas reserved or dedicated for public | 106 | | |
| 52 | | | 107 | | |
| 53 | | | 108 | | |
| 54 | | | 109 | | |
| 55 | | | 110 | | |

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

- 1 will be sent; which will provide an 55
2 explanation of the proposal, as well 56
3 as the Zoning Administrator's rec- 57
4 ommendation. As soon as is practi- 58
5 cable following the meeting, the 59
6 Plan Commission, through the Zon- 60
7 ing Administrator, shall report its 61
8 findings and recommendations to 62
9 the Village Board; which may be a 63
10 recommendation for approval, ap- 64
11 proval with conditions or denial of 65
12 the application. 66
- 13 (4) Village Board Public Hearing. Fol- 67
14 lowing the Plan Commission public 68
15 hearing and the formulation of the 69
16 Plan Commission recommendation, 70
17 the Village Board shall hold a pub- 71
18 lic hearing pursuant to the require- 72
19 ments of section 66.1705 [See page 73
20 165] and section 66.1801 [See page 74
21 166] of this chapter. Notice for such 75
22 hearing shall include reference to 76
23 the development plans filed in con- 77
24 junction with the requested PUD 78
25 district. Following the public hear- 79
26 ing, the Village Board shall decide 80
27 whether the PUD district applica- 81
28 tion is to be granted or denied. 82
- 29 (d) Basis for approval of the application. 83
- 30 (1) The Plan Commission in making its 84
31 recommendation and the Village 85
32 Board in makings its determination 86
33 shall consider: 87
- 34 a. That the applicants for the 88
35 proposed PUD district have 89
36 indicated that they intend to 90
37 begin and complete the 91
38 physical development of the 92
39 PUD within a time frame ap- 93
40 proved by the Village Board, 94
41 after recommendation by the 95
42 Plan Commission. 96
- 43 b. That the proposed PUD dis- 97
44 trict is consistent in all re- 98
45 spects to the purpose of this 99
46 section and to the spirit and 100
47 intent of this chapter; is in 101
48 conformity with the adopted 102
49 master plan or any adopted 103
50 component thereof; and, that 104
51 the development would not 105
52 be contrary to the general 106
53 welfare and economic pros- 107
54 perity of the community. 108
109
- c. The constraint or burden that 110
111 will be imposed on public 112
113 services, public utilities and 114
115 facilities, such as fire and po- 116
117 lice protection, street 118
119 maintenance, and mainte- 120
121 nance of public areas by the 122
123 proposed development. 124
- d. All property to be included 125
126 in a PUD district shall be 127
128 held in single ownership. 129
130 However, if there is more 131
132 than one owner, the appli- 133
134 cants shall create a property 135
136 owners association; whose 137
138 responsibility it shall be to 139
140 agree upon any plan prior to 141
142 it being presented to the Plan 143
144 Commission for approval 145
146 and, thereafter, shall be the 147
148 responsible entity for the 149
150 maintenance of the exterior 151
152 of all buildings, as well as all 153
154 common areas within its 155
156 PUD district. The bylaws of 157
158 this association, which con- 159
160 tain its duties and responsi- 161
162 bilities, shall first be ap- 163
164 proved by the Plan Commis- 165
166 sion and shall be written so 167
168 that all subsequent amend- 169
170 ments shall also have to be 171
172 approved by the Plan Com- 173
174 mission before they can take 175
176 effect. 177
- e. The proposed site shall be 178
179 provided with adequate 180
181 drainage facilities for surface 182
183 and storm waters. 184
- f. The proposed site shall be 185
186 accessible from public roads 187
188 that are adequate to carry the 189
190 traffic that can be expected 191
192 to be generated by the pro- 193
194 posed development. 195
- g. The streets and driveways on 196
197 the site of the proposed de- 198
199 velopment shall be adequate 200
201 to serve the residents and or 202
203 customers of the proposed 204
205 development and shall meet 206
207 the minimum standards of all 208
209 applicable ordinances or 210
211 administrative regulations of 212
213 the Village. 214

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

| | | | |
|----|-----|--|-----|
| 1 | h. | Public water and sewer facilities shall be provided. | 56 |
| 2 | | | 57 |
| 3 | i. | Adequate guarantee is provided for permanent preservation of open space areas as shown on the approved site plan either by private reservation and maintenance or by dedication to the public. | 58 |
| 4 | | | 59 |
| 5 | | | 60 |
| 6 | | | 61 |
| 7 | | | 62 |
| 8 | | | 63 |
| 9 | | | 64 |
| 10 | j. | The relative economic benefit to the Village shall be greater than the underlying zoning would allow. | 65 |
| 11 | | | 66 |
| 12 | | | 67 |
| 13 | | | 68 |
| 14 | (2) | That in the case of a proposed residential PUD district: | 69 |
| 15 | | | 70 |
| 16 | a. | Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space, and coordination with overall plans for the community. | 71 |
| 17 | | | 72 |
| 18 | | | 73 |
| 19 | | | 74 |
| 20 | | | 75 |
| 21 | | | 76 |
| 22 | | | 77 |
| 23 | | | 78 |
| 24 | | | 79 |
| 25 | | | 80 |
| 26 | | | 81 |
| 27 | b. | The total net residential density within the PUD district will be consistent with development permitted in the underlying basic use district. The district area, width and yard requirements of the underlying basic use district may be modified; however, in no case shall the average density in the district exceed the number of dwelling units that would have been permitted on that amount of land if the PUD district regulations had not been utilized. This allows for transfer of density within a site, but not an increase in density. | 82 |
| 28 | | | 83 |
| 29 | | | 84 |
| 30 | | | 85 |
| 31 | | | 86 |
| 32 | | | 87 |
| 33 | | | 88 |
| 34 | | | 89 |
| 35 | | | 90 |
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| 41 | | | 96 |
| 42 | | | 97 |
| 43 | | | 98 |
| 44 | | | 99 |
| 45 | | | 100 |
| 46 | c. | Each residential planned unit development, having more than one property owner involved and featuring common open space or other common improvements, shall be managed by a Property Owners' Association, or other appropriate management mechanism, to assure | 101 |
| 47 | | | 102 |
| 48 | | | 103 |
| 49 | | | 104 |
| 50 | | | 105 |
| 51 | | | 106 |
| 52 | | | 107 |
| 53 | | | 108 |
| 54 | | | 109 |
| 55 | | | 110 |

| | | | |
|-----|--|---|--|
| | | that any common facilities are properly maintained. A copy of the bylaws of the management association shall be included with the PUD application; which shall initially be approved by the Plan Commission as well as any subsequent amendments. | |
| (3) | | That in the case of a proposed business PUD district: | |
| a. | | The proposed development will be adequately served by off-street parking and truck service facilities. | |
| b. | | The locations for entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets, and that the development will not create an adverse effect upon the general traffic pattern of the surrounding neighborhood. | |
| c. | | The architectural design, landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with the surrounding neighborhood. | |
| d. | | Each business planned unit development featuring common open space or other common improvements shall be managed by a Property Owner's Association, or other appropriate management mechanism, to assure that any common facilities are properly maintained. A copy of the bylaws of the management association shall be included with the PUD application. | |
| (4) | | That in the case of a proposed mixed use PUD district: | |
| a. | | The proposed development shall include the standards in (2), (3), and result in a higher quality development than if | |

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT

1 the project were done separately. 56
2 57
3 (e) Determination. 58
4 The Village Board, after due consideration, 59
5 may deny the application, approve the application 60
6 as submitted, or approve the application 61
7 subject to additional conditions 62
8 and restrictions; including but not limited 63
9 to, beginning and completing the physical 64
10 development of the PUD within a time 65
11 frame approved by the Village Board, after 66
12 recommendation by the Plan Commission 67
13 and that the Village shall be a part of the 68
14 approval process for any amendment to the 69
15 bylaws of the Property Owners' Association. 70
16 The approval of a PUD district shall 71
17 be based upon and include as conditions 72
18 thereto the building, site and operational 73
19 plans for the development as approved by 74
20 the Village Board. The approval of a 75
21 planned unit development, and the attendant 76
22 conditions of approval, shall be 77
23 applicable to the developer, his/her heirs, 78
24 successors or assigns. 79
25 (f) Existing planned developments. 80
26 All properties with planned development 81
27 zoning, on the effective date of this chapter, 82
28 which remain planned developments 83
29 after the effective date of this chapter, are 84
30 hereby declared conforming planned developments. 85
31 Such planned developments 86
32 shall be subject to the regulations contained 87
33 in the resolution or ordinance, 88
34 which authorized and approved the 89
35 planned development. 90
36 (g) Changes and additions prior to final PUD 91
37 approval. 92
38 Any change or addition to the plans or uses 93
39 prior to the issuance of an occupancy permit 94
40 shall first be submitted for approval to 95
41 the Plan Commission and if in the opinion 96
42 of the Plan Commission, such change or 97
43 addition constitutes a substantial alteration 98
44 of the original plan, a public hearing before 99
45 the Plan Commission shall be required 100
46 and notice thereof be given pursuant to the 101
47 provisions of section 66.1801 [See page 102
48 166] of this chapter, and said proposed 103
49 alterations shall be submitted to the Village 104
50 Board for approval after a public hearing. 105
51 (h) Subsequent land division. 106
52 The division of any land or lands within a 107
53 PUD district for the purpose of change or 108
54 conveyance of ownership shall be accomplished 109
55 pursuant to the land division regu-

lations of the Village and when such division is contemplated, a subdivision plat or certified survey map, as may be appropriate, of the lands to be divided shall accompany the application for PUD approval.

(1) Changes and Additions to the PUD after Final Approval.

a. Any change in occupancy within an approved PUD project shall be administered in the same manner as a change in occupancy in a basic use district as set forth in section 66.1532 [See page 156] of this chapter. A certificate of compliance shall not be issued to a use that is not consistent with conditions placed on approval in any PUD district.

b. Any addition to a planned unit development in years subsequent to construction and occupancy shall be considered a new and separate proposal, and shall be required to comply with all of the review and approval requirements of this district, including the requirement for submittal of development plans and the conduct of public hearings required by this section.

(i) Adjustments to minimum area requirements.

The purpose of this section is to allow adjustments to the minimum area requirements for the creation of a PUD district. Reducing the minimum area requirements, where justified, will allow for the more efficient development of certain properties that are less likely to develop under a conventional zoning district due to such limiting factors as shape, size and accessibility. The Plan Commission may recommend approval to the Village Board of a request for a PUD district on a property, that does not meet the minimum area requirements as set forth in section 66.0341(b), by at least a 3/4 majority vote of the Commissioners, but only if supplemental design elements, reduced density or other improvements, requested by the Plan Commission,

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT

- 1 are incorporated into the project, which
- 2 compensate for the modification of this
- 3 minimum area.
- 4

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT

SEC. 66.0341 PUD PLANNED UNIT DEVELOPMENT
OVERLAY DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0342 HL HIGHWAY 42 AND 57 LANDSCAPE
SETBACK OVERLAY DISTRICT

SEC. 66.0342 HL HIGHWAY 42 AND 57 LANDSCAPE
SETBACK OVERLAY DISTRICT

1 **Sec. 66.0342 HL Highway 42 and 57 Land-**
2 **scape Setback Overlay District**

3 The intent of the Highway 42 and 57 landscape
4 setback overlay (HL) district is to establish special
5 setback requirements for parking and structures
6 along portions of Highway 42 and 57 to accom-
7 modate traffic flows safely, maintain the character
8 of business development, and provide an aes-
9 thetically pleasing entrance to the Village.

10 (a) Location of requirements.

11 The following Highway Landscape Setback
12 Overlay requirements shall be applied to
13 those portions of State Trunk Highway 42
14 and Highway 57 located from their inter-
15 section to the south Village limits.

16 (b) Effect on setback and frontage require-
17 ments of abutting zoning districts.

18 These requirements shall be observed by
19 all development within the Highway 42
20 and Highway 57 Landscape Setback Over-
21 lay and shall supersede any conflicting re-
22 quirements contained in underlying dis-
23 tricts.

24 (c) Building setback.

25 All buildings within this area shall be set-
26 back from Highway 42 and Highway 57 at
27 least 90 feet as measured from the center-
28 line of the right-of-way.

29 (d) Planting strip adjacent to highways.

30 Except to allow access to lots abutting
31 Highway 42 or Highway 57 or access to
32 any frontage road established by the Vil-
33 lage to serve those lots, all lots abutting
34 Highway 42 or Highway 57 must maintain
35 the first 35 feet from the edge of the high-
36 way pavement as a non-impervious land-
37 scape strip. This landscape strip shall be
38 maintained in grass or ground cover ap-
39 proved by the Village and shall contain
40 shade trees of the type specified by the
41 Plan Commission planted at a spacing of
42 one tree per 40 feet lineal distance along
43 the road, located ten feet from the edge of
44 the street pavement or bike lane. (Amend-
45 ed Ordinance 120-061306)

46 (e) Access controls.

47 Vehicular access point from Highway 42
48 or Highway 57 shall be determined with
49 the Wisconsin Department of Transporta-
50 tion.

51

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0342 HL HIGHWAY 42 AND 57 LANDSCAPE
SETBACK OVERLAY DISTRICT

SEC. 66.0342 HL HIGHWAY 42 AND 57 LANDSCAPE
SETBACK OVERLAY DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY DISTRICT

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY DISTRICT

- 1 **Sec. 66.0344 BP Bluff Protection Overlay Dis-** 55
2 **trict** 56
- 3 The Bluff Protection Overlay district (BP) is hereby 57
4 established as a district, which overlaps, and over- 58
5 lays existing base zoning districts, the extent and 59
6 boundaries of which are as indicated on the offi- 60
7 cial zoning map for the Village. Overlay districts 61
8 provide for the possibility of superimposing cer- 62
9 tain additional requirements upon a basic zoning 63
10 district without disturbing the requirements of the 64
11 basic district. The uses of the underlying standard 65
12 zoning district shall remain in force. 66
- 13 (a) Intent: 67
14 (1) Promote safe conditions by prevent- 68
15 ing placement of roads on highly 69
16 inclined surfaces. 70
17 (2) Preserve escarpments as landmark 71
18 features that contribute to the scenic 72
19 diversity and attractiveness of the 73
20 Village. 74
21 (3) Preserve flora and fauna habitats. 75
22 (b) Location of requirements: 76
23 The Bluff Protection Overlay district shall 77
24 be identified on the Official Zoning map of 78
25 the Village. The location of the bluff on a 79
26 parcel shall be determined by a trained ex- 80
27 pert or geologist acceptable to the Plan 81
28 Commission. 82
29 (c) Permitted uses: 83
30 Principal Uses shall be those permitted in 84
31 the underlying zoning district. Uses prohib- 85
32 ited in the underlying zoning district are al- 86
33 so prohibited in the Bluff Overlay district. 87
34 (d) Conditional uses: 88
35 Conditional Uses shall be those permitted 89
36 in the underlying zoning district. 90
37 (e) Site plan required: 91
38 A site plan prepared in accordance with 92
39 section 66.1050 [See page 137] of this 93
40 chapter is required for all uses. 94
41 (f) Setbacks: 95
42 There shall be at least a 25-foot setback 96
43 from the crest of the bluff. The crest shall 97
44 be established by means of a site inspec- 98
45 tion by the Village, the location of which 99
46 will be plotted by the applicant on the site 100
47 plan based upon the zoning map. 101
48 (g) Special requirements: 102
49 (1) No roads or driveways shall be 103
50 placed on slopes of 30-39 percent 104
51 unless the roads or driveways are 105
52 placed parallel to the bluff face. No 106
53 roads or driveways shall be placed 107
54 on slopes of 40 percent or greater.
- (2) The clearing of trees, shrubbery, 108
undergrowth, and other ground 109
cover located within bluff protec- 110
tion areas shall be permitted for: 111
a. Building footprints. 112
b. Sites for wastewater disposal 113
systems. 114
c. Driveways, not to exceed 20 115
feet in width. 116
d. The area on a lot, excluding 117
the bluff crest and face, ex- 118
tending not more than 15 119
feet from the exterior walls of 120
principal buildings and ten 121
feet from accessory build- 122
ings. 123
- (3) Tree topping. Tree topping which is 124
defined as tree cutting or sculptur- 125
ing where only a portion of the tree 126
is removed to improve the view is 127
prohibited within the bluff protec- 128
tion overlay district. 129
- (4) In the area on the balance of the lot, 130
selective removal of trees, shrub- 131
bery, under growth and other 132
ground cover is permitted provided 133
that: 134
a. No more than 30 percent of 135
this area on the lot shall be 136
cleared. 137
b. The clearing of the 30 per- 138
cent described above shall 139
not result in strips of cleared 140
openings of more than 30 141
feet in any 100-foot wide 142
strip nor create a cleared 143
opening strip greater than 30 144
feet wide. 145
c. In the remaining 70 percent 146
of this area, cutting and 147
pruning shall leave sufficient 148
cover to screen vehicles, 149
dwellings, and other struc- 150
tures. Even though vegetation 151
removal is permitted by this 152
Code, the Village strongly 153
recommends that the existing 154
vegetation, including trees, 155
shrubbery, undergrowth and 156
ground cover, be preserved 157
to the greatest extent possible 158
to protect the ecosystem of 159
the bluff. 160

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY
DISTRICT

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY
DISTRICT

- 1 (5) Pruning of trees is not permitted,
2 except for the removal of dead, dis-
3 eased or dying trees.
- 4 (6) Special cutting plan. A special cut-
5 ting plan allowing greater cutting
6 may be permitted by the Plan
7 Commission by issuance of a condi-
8 tional use permit. In applying for
9 such a permit, the commission may
10 require the lot owner to submit a
11 drawing of his/her lot including the
12 following information: location of
13 all structures, location of parking,
14 and gradient of the land, existing
15 vegetation, proposed cutting and
16 proposed replanting. The commis-
17 sion may grant such a permit only if
18 it finds that such special cutting
19 plans:
- 20 a. Will not cause undue erosion
21 or destruction of scenic
22 beauty.
- 23 b. Will provide substantial
24 shielding from the water of
25 dwellings, accessory struc-
26 tures and parking area. The
27 commission may condition
28 such a permit upon a guaran-
29 tee of tree planting by the lot
30 owner. Such an agreement
31 shall be enforceable in court.
- 32 c. Is consistent with established
33 forest management practices.
34

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY
DISTRICT

SEC. 66.0344 BP BLUFF PROTECTION OVERLAY
DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Sec. 66.0345 WHP Wellhead Protection Dis-**
2 **trict**
3 The Wellhead Protection district (WHP) is intend-
4 ed to insure the provision of a safe and sanitary
5 drinking water supply for the Village by estab-
6 lishment of a Wellhead Protection Area surround-
7 ing the wellheads for all wells which are the sup-
8 ply sources for the Village water system and by
9 the designation and regulation of property uses
10 and conditions which may be maintained within
11 such zones to minimize public and private losses
12 due to contamination of the public water supply.
13 These regulations are established pursuant to the
14 authority granted by the Wisconsin Legislature in
15 1983, Wisconsin Act 410 (effective May 11,
16 1994), which specifically added groundwater pro-
17 tection to the statutory authorization for municipal
18 planning and zoning in order to protect the public
19 health, safety, and welfare.

20 (a) Establishment of wellhead protection area.
21 There is hereby established a use district to
22 be known as the Wellhead Protection Area,
23 identified and described as all the areas
24 including those of the cone of depression
25 due to the average pumping capacity of the
26 wells, the areas encompassing the zone of
27 contribution for a five year time of travel to
28 the wells, and the recharge areas influenc-
29 ing the wells.

30 (1) The area(s) designated as the Zone
31 of Influence for the well(s) is hereby
32 known as the Primary Protection
33 Zone(s). It begins at the wellhead
34 and extends radially outward a dis-
35 tance of 500 feet from the well. Ad-
36 ditional protection beyond the Pri-
37 mary Protection Zone shall be ac-
38 complished by the establishment of
39 Management Zones.

40 (b) Boundaries. The boundaries of the Primary
41 Management Zone shall begin at a point or
42 points along the outer perimeter of the
43 Primary Protection Zone and extend out-
44 ward to all points within and including the
45 designated Zone of Contribution for the
46 five-year time of travel to each of the wells.
47 Furthermore, as the annual average pump-
48 ing capacity of the wells is changed, the
49 Primary Management Zone boundaries
50 shall be changed in like manner.

51 (1) The boundaries of the Secondary
52 Management Zone shall include all
53 the area extending between the
54 Primary Management Zone outer
55 perimeter and a minimum of one
56 mile radially or the Village limits

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boundaries (whichever is less) from
any well supplying water to the
aforementioned community water
system.

(2) Subsequent and additional Man-
agement Zones may be established
whenever it is found that the Well-
head Protection Zone needs to be
expanded to provide adequate pro-
tection for the groundwater within
and/or adjacent to the Wellhead
Protection Area.

(3) Location of requirements. The fol-
lowing protection requirements
shall be based upon the location of
the Village wells located at the fol-
lowing:

a. Well Number 1: Scandia
Road at Bay Shore Drive;
b. Well Number 2: Smith Drive
at Highway 57;
c. Well Number 3: Hill Road at
North Spring Road.

(4) A detailed map of the different
zones shall be maintained by the
Zoning Administrator and shall be
incorporated on the Official Zoning
Map of the Village.

(c) Substances regulated.
The materials regulated by this chapter
shall consist of the following:

(1) Petroleum products as defined in
66.2100 [See page 172].

(2) Substances listed in the Federal
Hazardous Waste List.

(3) Substances other than those listed
on the Federal Hazardous Waste
List that are determined by State or
Federal agencies to pose a signifi-
cant threat to any community water
supply well or well field.

(d) Restrictions within the wellhead protection
area.
Restrictions within each Zone of the Well-
head Protection Area shall be determined
by the Village Board or their appointee.
The Board or their appointee shall conduct
a survey of the Wellhead Area and identify
the potential sources of contamination
therein. After assessing the local ground-
water protection needs, the method or
combination of management methods shall
be submitted for approval. The restrictions
within each Zone may be modified period-
ically to provide additional protection or to
prevent future contamination.

VILLAGE OF SISTER BAY ZONING CODE

- 1 (1) The following uses or conditions 57
2 shall be and are hereby prohibited 58
3 within the Primary Protection Zone. 59
4 Existing uses or conditions that are 60
5 prohibited under this section that 61
6 desire to continue shall comply with 62
7 the requirements of section 63
8 66.0345(f). (Amended Ordinance 64
9 No. 176-091410) 65
10 a. Agricultural activities. 66
11 b. Feedlots or other concentrat- 67
12 ed animal facilities. 68
13 c. Gas Stations. 69
14 d. Vehicle repair establish- 70
15 ments, including auto body 71
16 repair. 72
17 e. Junk yards or auto salvage 73
18 yards. 74
19 f. Bus or truck terminals. 75
20 g. Impervious surfaces other 76
21 than roofs of buildings, and 77
22 streets, parking lots, drive- 78
23 ways and sidewalks. 79
24 h. Dry cleaning businesses. 80
25 i. Any manufacturing or indus- 81
26 trial business. 82
27 j. Electroplating facilities. 83
28 k. Exterminating businesses. 84
29 l. Sanitary landfills. 85
30 m. Sanitary sewer lines within 86
31 100 feet of a wellhead. 87
32 n. Animal waste spreading. 88
33 o. Septic tanks or drain fields 89
34 appurtenant thereto. 90
35 p. Storm water infiltration ba- 91
36 sins. 92
37 q. Hazardous waste disposal 93
38 sites. 94
39 r. Surface use or storage of 95
40 hazardous material, includ- 96
41 ing commercial use of agri- 97
42 cultural pesticides. 98
43 s. Underground storage. 99
44 t. Salt storage. 100
45 u. Bulk herbicide and/or pesti- 101
46 cide storage and use. 102
47 (2) The following uses or conditions 103
48 shall be and are hereby prohibited 104
49 within Management Zone 1. 105
50 a. Junk yards and auto salvage 106
51 yards. 107
52 b. Sanitary landfills. 108
53 c. Hazardous waste disposal 109
54 sites. 110
55 d. Storm water infiltration ba- 111
56 sins. 112

- (3) The following uses or conditions are permitted within Management Zone One only as a special exception. A conditional use permit may be granted to an individual and/or facility to allow a special exception use. In order to receive a conditional use permit, an individual and/or facility must demonstrate compliance with applicable Federal, State and County requirements.
- a. Feedlots or other concentrated animal activities.
 - b. Gas stations.
 - c. Vehicle repair establishments, including auto body repair.
 - d. Bus or truck terminals.
 - e. Dry cleaning businesses.
 - f. Any manufacturing or individual business.
 - g. Electroplating facilities.
 - h. Exterminating businesses.
 - i. Animal waste spreading.
 - j. Septic tanks or drain fields.
 - k. Bulk salt storage.
 - l. Surface use or storage of hazardous materials.
- (4) The area within Management Zone Two shall be managed by conducting a public education program to inform the property owners of the need for and methods of wellhead protection. If additional management methods are necessary, the appropriate governing bodies with jurisdiction over the area within the Management Zone Two shall be notified.

- (e) Exemptions.
Individuals and/or facilities may request the Village to issue a conditional use permit for a special exception use in the Wellhead Protection Area. All requests shall be in writing either on or in substantial compliance with forms to be provided by the Village and shall include an environmental assessment report prepared by a licensed environmental engineer. The report shall be forwarded to the Village Engineer and/or designee(s) for recommendation and final decision by the Village Board. The individual/facility shall reimburse the Village for all consultant fees associated with this review at invoiced amount plus administrative costs. Any uses

VILLAGE OF SISTER BAY ZONING CODE

1 shall be conditional and may include re- 55
2 quired environmental and safety monitor- 56
3 ing consistent with local, state, and federal 57
4 requirements, and/or bonds and/or sureties 58
5 satisfactory to the Village. 59
6 (1) The following activities or uses are 60
7 exempt from the provision of this 61
8 chapter. 62
9 a. The transportation of any 63
10 hazardous substance through 64
11 the wellhead protection area 65
12 provided the transporting ve- 66
13 hicle provides adequate pri- 67
14 mary and secondary con- 68
15 tainment and is in-transit. 69
16 b. The use of herbicides and 70
17 pesticides is allowed within 71
18 the Management Zones, pro- 72
19 vided best management 73
20 practices are used or it is de- 74
21 termined that the use of such 75
22 herbicides and pesticides 76
23 does not pose a serious 77
24 threat to the groundwater. 78
25 c. The use of any hazardous 79
26 substance solely as fuel in a 80
27 vehicle fuel tank or as a lub- 81
28 ricant in a vehicle. 82
29 d. Fire, police, emergency med- 83
30 ical services, emergency 84
31 management center facilities 85
32 or public utility transmission 86
33 facilities. 87
34 e. Retail sales establishments 88
35 that store and handle haz- 89
36 ardous substances for resale 90
37 in their original unopened 91
38 containers. 92
39 f. Consumer products limited 93
40 to use at a facility solely for 94
41 janitorial or minor mainte- 95
42 nance purposes. 96
43 g. Consumer products located 97
44 in the home, which are used 98
45 for personal, family or 99
46 household purposes. 100
47 h. The storage and use of haz- 101
48 ardous substances as fuel or 102
49 lubricant to provide auxiliary 103
50 power for emergency use to 104
51 the well field provided an 105
52 enclosed secondary con- 106
53 tainment system be provided 107
54 for the substance. 108
109
110

i. Any water treatment chemi-
cals connected with the op-
eration of the wells.
j. Storm water retention ponds
constructed in a manner ap-
proved by the Village and/or
Village Engineer may be
placed in the management
zone. The soil beneath the
retention pond shall have a
low rate of water transmis-
sion, less than 0.15 inches
per hour.

(f) Requirements for existing facilities.
The following requirements are to be met
by existing facilities wishing to continue
with activities prohibited under section
66.0345(c).

- (1) Facilities shall provide copies of all
federal, state and county operation
approvals or certificates and ongo-
ing environmental monitoring re-
sults to the Village.
- (2) Facilities shall provide additional
environmental or safety struc-
tures/monitoring as deemed neces-
sary by the Village, which may in-
clude but are not limited to storm
water runoff management and mon-
itoring.
- (3) Facilities shall replace equipment or
expand in a manner that improves
the existing environmental and safe-
ty technologies already in existence.
- (4) Facilities shall have the responsibil-
ity of devising and filing with the
Village a contingency plan satisfac-
tory to the Village for the immediate
notification to Village officials in the
event of an emergency.

(g) Penalties.
In the event of the release of any contami-
nants, which endanger the Wellhead Pro-
tection Area, the activity causing said re-
lease shall cease immediately and a clean-
up satisfactory to the Village shall occur.
The individual/facility participating in such
activity shall be responsible for all costs of
cleanup, Village consultant fees at the in-
voice amount plus administrative costs for
oversight review, and documentation. These
costs may include but are not limited to:
(1) The cost of Village employees' time
associated in any way with the
cleanup based on the hourly rate
paid to the employee multiplied by

VILLAGE OF SISTER BAY ZONING CODE

- 1 a factor determined by the Village
- 2 representing the Villages cost for
- 3 expenses, benefits, insurance, sick
- 4 leave, holidays, overtime, vacation,
- 5 and similar benefits.
- 6 (2) The cost of Village equipment em-
- 7 ployed.
- 8 (3) The cost of mileage reimbursed to
- 9 Village employees attributed to the
- 10 cleanup.
- 11 (4) The costs recoverable as provided
- 12 herein shall be in addition to the
- 13 penalty for this section.
- 14

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0345 WHP WELLHEAD PROTECTION DISTRICT

SEC. 66.0345 WHP WELLHEAD PROTECTION DISTRICT

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Sec. 66.0346 RS Ridges and Swales**
2 The purpose of the Ridges and Swales Overlay
3 district (RS-1) is to recognize and protect land-
4 forms that owe their existence to the dynamic
5 forces of water acting upon the land during vari-
6 ous periods of rising and falling lake levels. The
7 events that produced these landforms apparently
8 occurred during approximately the last 4,000
9 years. These geologic features and the wild plant
10 and animal life supported on them are of signifi-
11 cant scientific interest. The ridges and swales
12 complexes also contribute to the special aggregate
13 landscape of the Village.

14 (a) Determination.
15 The location of ridges and swales com-
16 plexes shall be determined by a trained
17 expert or geologist acceptable to the Plan
18 Commission.

19 (b) Requirements.
20 (1) Buildings and structures shall be
21 placed, to the greatest practical ex-
22 tent, on the uppermost ground sur-
23 faces of ridges.
24 (2) No buildings and structures, except
25 roads constructed in accordance
26 with subsection (5), shall be placed
27 in swales.
28 (3) The ridges ground surfaces shall not
29 be reshaped by excavation, except
30 for customary excavation necessary
31 to construct roads and foundations
32 of buildings and structures; by grad-
33 ing; or by filling, except for custom-
34 ary backfilling around foundation
35 walls of buildings and structures,
36 construction of roads in accordance
37 with subsection (5), and construc-
38 tion of parking areas.
39 (4) The swales ground surfaces shall
40 not be reshaped by excavating,
41 grading or filling, except as neces-
42 sary for road construction in ac-
43 cordance with subsection (5).
44 (5) Road construction in ridges and
45 swales complexes shall occur in ac-
46 cordance with the following:
47 a. Roads shall be placed, to the
48 greatest practical extent, on
49 the uppermost ground sur-
50 faces of the ridges.
51 b. Roads shall not be placed in
52 swales, except for that por-
53 tion which is the minimum
54 necessary to continue a road
55 from one ridge to the adja-
56 cent ridge. The road portion

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in the swale shall be con-
structed to allow free and
continuous movement of sur-
face water through the road
by means of culverts and/or
bridges.
c. The road shall be construct-
ed with the minimum cross-
sectional area necessary to
serve the intended use.
d. Road construction activities
shall be carried out in the
immediate area of the road
only.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0346 RS RIDGES AND SWALES

SEC. 66.0346 RS RIDGES AND SWALES

1

VILLAGE OF SISTER BAY ZONING CODE

1 **Sec. 66.0350 RO Restaurant Overlay District** 53
2 **RO-1** 54
3 Note: This entire section was added by Ordinance 55
4 No. 172-081010. 56
5 Purpose. The purpose of the standards in this Sec- 57
6 tion is to regulate the number, location and opera- 58
7 tion of various types of restaurants in order to 59
8 maintain the Village’s unique character, the vitali- 60
9 ty of the commercial districts, and the quality of 61
10 life of Sister Bay residents. 62
11 (a) Definitions. 63
12 General Restaurant means an eating-place, 64
13 whether a principal use or accessory use, 65
14 selling a full line of prepared food and 66
15 drinks using non-disposable plates, glasses 67
16 and utensils for immediate consumption on 68
17 the site. The business provides tables and 69
18 chairs, table service, and is available to 70
19 persons of all ages. The use shall not ex- 71
20 hibit the characteristics of a drive-in, for- 72
21 mula or fast food establishment. Customers 73
22 shall be provided with individual menus 74
23 while seated at a table or counter. Food 75
24 sold for consumption off the premises shall 76
25 be incidental to the primary use. Such food 77
26 shall be placed in covered containers or 78
27 wrappings, and all house-brand labeled 79
28 food store goods such as vinegars, oils and 80
29 salad dressings shall be prepackaged and 81
30 sealed. 82
31 Drive-In Restaurant means an eating place, 83
32 whether a principal use or accessory use, 84
33 which sells: (a) prepares food intended for 85
34 consumption in vehicles that may or may 86
35 not be parked on the site; or (b) provides 87
36 for the ordering of food while the custom- 88
37 ers are seated in vehicles. 89
38 Formula Restaurant means an eating-place, 90
39 whether a principal use or accessory use, 91
40 that is one of a chain or group of three or 92
41 more establishments and which satisfies at 93
42 least two of the following three descrip- 94
43 tions: 95
44 (1) It has the same or similar name, 96
45 brand, trade name, or trademark as 97
46 others in the chain or group; 98
47 (2) It offers any of the following charac- 99
48 teristics in a style which is distinc- 100
49 tive to and standardized among the 101
50 chain or group: (a) Exterior design 102
51 or architecture; (b) Uniforms, except 103
52 that a personal identification or 104

simple logo will not render the clothing a uniform; (c) Standardized menus, ingredients, food preparation or food presentation format which causes it to be substantially identical to another restaurant regardless of ownership or location.

(3) It is a fast food restaurant.

Fast Food Restaurant means an eating-place, whether a principal use or accessory use, selling food to be consumed on or off the site and (a) food is quickly made upon the customer’s order or pre-made and wrapped before customers place orders, and/or (b) food is served with disposable tableware for on-site food consumption. A Fast Food restaurant also exhibits two or more of the following characteristics: food is ordered from a wall menu at a service counter; food consumed on the premises is ordered while customers are standing; payment is made by customers before food is consumed; the service counter is closer to an entry/exit than is the seating/dining area; the business interior is brightly illuminated (greater than 8 candle foot power as measured in a horizontal plane three feet above the floor).

Take-Out Restaurant means an eating place, whether a principal use or accessory use, selling ready-to- eat, prepared snack food and full meals for immediate consumption off the site while patrons are walking or standing in the public right-of-way or are seated in vehicles.

Drive-up Window - Restaurant in this section means a window opening to the outdoors designed to furnish food or beverages to motorists.

Walk-up Window - Restaurant means a window opening to the outdoors designed to furnish food or beverages to pedestrians.

Drive-through - Restaurant in this section means a paved area serving as a queuing or staging area for motorist to receive food that they have ordered.

(b) Applicability.

The regulations in this section shall apply as an overlay district for the B-1 General Business, B-2 Downtown Transition District, B-3 Downtown Business District and I-1 Institutional Districts.

VILLAGE OF SISTER BAY ZONING CODE

1 (c) Permitted Uses. 56
2 A general restaurant whether a principal 57
3 use or accessory use, shall be permitted 58
4 subject to the following requirements. 59
5 (1) Underlying district lot area and 60
6 width; building height and area; 61
7 setbacks; special standards and 62
8 parking. 63
9 (2) Site plan and architectural review 64
10 and such others as apply. 65
11 (d) Conditional Uses. 66
12 A fast food, drive-in or take-out restaurant 67
13 whether a principal use or accessory use 68
14 may be granted a conditional use permit 69
15 subject to the following requirements. 70
16 (1) Underlying district lot area and 71
17 width; building height and area; 72
18 setbacks; special standards and 73
19 parking. 74
20 (2) Site plan and architectural review. 75
21 (3) Approval of the fast food, drive-in or 76
22 take-out restaurant with or without a 77
23 walk-up window – restaurant will 78
24 contribute to a diverse and appro- 79
25 priate blend of businesses in the Vil- 80
26 lage; 81
27 (4) Approval of the fast food, drive-in or 82
28 take-out restaurant will complement 83
29 those businesses already in the Vil- 84
30 lage and help promote and foster 85
31 the local economic base as a whole. 86
32 (5) The fast food, drive-in or take-out 87
33 restaurant will be compatible with 88
34 existing surrounding uses; has been 89
35 designed and will be operated in a 90
36 non-obtrusive manner to preserve 91
37 the community's character and am- 92
38 biance; and the proposed intensity 93
39 of uses on the site is appropriate 94
40 given the uses permitted on the site 95
41 and on adjoining sites, including 96
42 but not limited to the following: 97
43 a. The size of any individual 98
44 fast food, drive-in or take-out 99
45 restaurant shall not to exceed 100
46 two thousand five hundred 101
47 (2,500) square feet of gross 102
48 floor area. 103
49 b. The street frontage of any in- 104
50 dividual fast food, drive-in or 105
51 take-out restaurant shall not 106
52 exceed sixty-five feet (65') in 107
53 width. 108
54 c. So long as the Planning 109
55 Commission finds that estab-

lishing or relocating the fast food, drive-in or take-out restaurant will not increase the intensity of use on the site to a level that will adversely impact:

1. Land uses in the area;
2. Pedestrian or motor vehicle traffic; or
3. The public welfare.

d. There shall not be a substantial impact to the public safety from increased traffic. At the discretion of the Plan Commission, the applicant may be required to submit a traffic study, prepared by a Wisconsin Registered Professional Engineer, approved by the Plan Commission.

e. There shall not be any impacts to the roadway or abutting properties from the loading area.

f. Approval of the fast food, drive-in or take-out restaurant will be consistent with the policies and standards of the Comprehensive Plan as approved and amended.

(e) Excluded Uses.

The following uses are excluded from the overlay district.

- (1) Formula restaurants, drive-up windows - restaurants and drive-through - restaurants are prohibited;
- (2) Reserved.

(f) Change of occupancy or intensity of use.

A change of occupancy, change of intensity of use, or a change in type of restaurant shall require Plan Commission review and approval. A change of business model shall not require Plan Commission review and approval unless the change is deemed significant by the Zoning Administrator. Change of ownership shall not, by itself, require Plan Commission approval unless there is a change of occupancy, change of intensity of use, change of business model or a change in type of restaurant. The regulations in this Section shall be used by the Planning Commission in reviewing an application or an application for occupancy.

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1

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1

- 1 (g) Existing Restaurants.
- 2 All formula restaurants with their respec-
- 3 tive business models as of July 1, 2010, fast
- 4 food restaurants, drive-in restaurants and
- 5 take-out restaurants shall be grandfathered
- 6 non-conforming uses if they do not meet
- 7 any of the regulations in this Section.
- 8

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VILLAGE OF SISTER BAY ZONING CODE

SECTION 400 -TRAFFIC, LOADING, PARKING AND ACCESS

1 **Sec. 66.0401 Traffic Visibility**

2 No obstructions, such as structures, parking, or
3 vegetation, shall be permitted in any district be-
4 tween the heights of two and one-half feet and ten
5 feet above the plane through the mean curb
6 grades (See Illustration No. 1) within the triangular
7 space formed by any two existing or proposed in-
8 tersecting street or alley right-of-way lines and a
9 line joining points on such lines located a mini-
10 mum of 15 feet from their intersection. (See Illus-
11 tration No. 2). In the case of arterial streets inter-
12 secting with other streets, the corner cut-off dis-
13 tances establishing the vision triangle clearance
14 space shall be increased to 50 feet. (See Illustration
15 No. 2).

16 **Sec. 66.0402 Loading Requirements**

17 On every lot on which a business use is hereafter
18 established, space with access to a public street or
19 alley shall be provided as specified below for the
20 loading and unloading of vehicles off the public
21 right-of-way.

22 (a) Number of loading and unloading spaces
23 required:

| <i>Gross Floor Area of Building</i> | |
|-------------------------------------|-------------------------|
| <i>In Square Feet</i> | <i>Number of Spaces</i> |
| Under 5,000 | 1 |
| 5,000-24,999 | 2 |
| 25,000-49,999 | 3 |
| 50,000-99,999 | 4 |

24 (b) For each additional 25,000 square feet (or
25 fraction thereof) of gross floor area, one
26 additional loading and unloading space
27 shall be provided.

28 (c) Each loading and unloading space shall
29 have access to a public dedicated street or
30 alley.

31 (d) The minimum area for each loading and
32 unloading space, excluding the area need-
33 ed to maneuver, shall be 250 square feet.

34 (e) At no time shall any part of a truck or van
35 be allowed to extend into the right-of-way
36 of a public thoroughfare while the truck or
37 van is being loaded or unloaded.

38 **Sec. 66.0403 Parking Requirements**

39 In all districts and in connection with every use,
40 there shall be provided at the time any use is

41 erected, enlarged, extended or increased, off-
42 street parking spaces and lots for all vehicles in
43 accordance with the following:

44 (a) Access.

45 Adequate access to a public street shall be
46 provided for a parking space, and drive-
47 ways shall be at least ten feet wide for one
48 and two-family dwellings, and a minimum
49 of 24 feet wide at the property line for all
50 other uses. [See section 66.0406 Highway
51 Access page 89, for more detailed re-
52 strictions.]

53 (b) Parking space size.

54 The minimum dimensions of each parking
55 space shall be nine feet by 20 feet, except
56 for spaces provided for use by physically
57 disabled persons.

58 (c) Parking spaces for use by physically disa-
59 bled persons.

60 All open off-street parking areas providing
61 more than 20 parking spaces, except for
62 parking areas restricted to use by employ-
63 ees only, shall provide parking spaces for
64 use by motor vehicles, which transport
65 physically disabled persons in accordance
66 with the requirements of section 346.503
67 of the Wisconsin Statutes.

68 (d) Parking lot geometrics.

69 The minimum length of parking stalls shall
70 be modified in parking lots based on the
71 aisle width and the angle of parking. Park-
72 ing stalls shall conform to the following
73 minimum dimensions:
74

| <i>Parking Angle</i> | <i>Minimum Stall Width</i> | <i>Minimum Perpendicular Stall Width</i> | <i>Minimum Aisle Width</i> |
|----------------------|----------------------------|--|----------------------------|
| 90° | 9 ft. | 20 ft. | 22 ft. |
| 75° | 9 ft. | 20 ft. | 19 ft. |
| 60° | 9 ft. | 19 ft. 6 in. | 16 ft. |
| 45° | 9 ft. | 19 ft. 6 in. | 13 ft. |
| 30° | 9 ft. | 66 ft. | 10 ft. |

75 (e) Location.

76 Location of parking spaces is to be on the
77 same lot as the principal use except as
78 provided in section 66.0405 [See page 88]
79 of this chapter. (NOTE: Residential parking
80 shall be located in a garage or carport or
81 on a driveway that does not exceed 24 feet
82 in width, except for a spur that is a maxi-
83 mum of ten feet by 20 feet or the flare to

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1 access a parking area in the side or rear
2 yard.)
3 (NOTE: Business parking lots and drive-
4 ways adjacent to a residential zoning dis-
5 trict line shall, at a minimum, provide buff-
6 er yards as required by section 66.0303
7 [See page 6 of the Municipal Code.]
8 (NOTE: Business and institutional parking
9 lots and driveways shall be located no
10 closer than 15 feet to a residential zoning
11 district line.)
12 (f) Surfacing.
13 (1) Parking Lots and other areas. In all
14 zoning districts other than P-1, R-1,
15 R-3, R-4 and CS-1 all off-street park-
16 ing lots, driveways, service roads,
17 storage areas and such other areas
18 determined by the Plan Commission
19 shall be surfaced with an asphaltic
20 concrete or Portland cement pave-
21 ment; to provide a durable and
22 dust-free surface and shall be so
23 graded and drained as to dispose of
24 all surface water in accordance with
25 the requirements of the Municipal
26 Code of the Village. Brick, block or
27 open block or other materials de-
28 signed to be permeable and de-
29 signed to carry the load of the vehi-
30 cles shall be allowed with the ap-
31 proval of the Plan Commission. The
32 required off-street parking lots,
33 driveways, service roads, storage
34 areas and such other areas shall be
35 completely paved prior to the issua-
36 nce of the occupancy permit for all
37 new buildings and prior to the final
38 inspection of all building additions.
39 However if the new building or
40 building addition is completed dur-
41 ing the November to March period,
42 the pavement shall be completed by
43 July 1 of the following year.
44 (Amended Ordinance 154-071409)
45 (2) All driveways serving single-family
46 residences in all zoning districts
47 shall be surfaced with asphaltic
48 concrete or Portland cement pave-
49 ment from the edge of the pavement
50 to edge of the right-of-way within
51 one year of the issuance of the ini-
52 tial occupancy permit. (Amended
53 Ordinance 154-071409)
54 (3) All Driveway Approaches shall be
55 installed in accord with the provi-
56 sions of the Municipal Code.

57 (g) Landscape area.
58 All off-street parking lots, which serve four
59 vehicles or more and are created or ex-
60 tended subsequent to the adoption of this
61 chapter, shall provide accessory land-
62 scaped areas; which may be landscape is-
63 lands, landscape peninsulas or peripheral
64 plantings totaling not less than five percent
65 of the surfaced area. For parking lots de-
66 signed for 20 parking spaces or more, at
67 least one-half of the minimum five percent
68 landscaped area shall be within the park-
69 ing lot. When parking lots are extended,
70 these regulations shall apply only to the ex-
71 tended portion of the parking lot. Location
72 of landscape areas, plant materials and
73 protection afforded the plantings, including
74 curbing and provision for maintenance
75 shall be subject to approval by the Plan
76 Commission. Landscape islands or penin-
77 sulas shall be dispersed throughout the off-
78 street parking area. All plans for such pro-
79 posed parking areas shall include a topo-
80 graphic survey or grading plan, which
81 shows existing and proposed grades and
82 location of improvements. The preserva-
83 tion of existing trees, shrubs, and other
84 natural vegetation in the parking area may
85 be included in the calculation of the re-
86 quired minimum landscape area. (See Illus-
87 trations No. 3 and No. 4)
88 (h) Parking lot screening.
89 Those parking areas for four or more vehi-
90 cles, if adjoining a residential zoning dis-
91 trict line or public right-of-way, shall be
92 screened from casual view by an earth
93 berm, a stonewall, fence, evergreen plant-
94 ing of equivalent visual density or other ef-
95 fective means approved by the Plan Com-
96 mission. Such fence or berm and landscap-
97 ing together shall be an average of three
98 feet in height between the parking and the
99 street right-of-way and six feet in height be-
100 tween the parking and any adjacent resi-
101 dential property line. All screening materi-
102 als shall be placed and maintained at a
103 minimum height of three feet. The Plan
104 Commission may require greater screening
105 requirements for parking of large trucks,
106 semi-trailers and large equipment.
107 (i) Residential parking.
108 Single-family and two-family residential
109 parking shall be limited to parking within
110 garages and upon residential driveways.
111 Paving beyond driveways to cover all or

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- 1 substantial portions of a residential front 57
2 yard shall be prohibited. 58
- 3 (j) Parking space requirements. 59
- 4 The following guide specifies the minimum 60
5 number of parking spaces required. In the 61
6 case of structures or uses not specified 62
7 herein, the number of spaces specified as 63
8 the general standard for the use class or the 64
9 number of spaces specified for similar use 65
10 shall apply. In developments involving the 66
11 establishment or addition of two or more 67
12 uses on one lot or parcel, the cumulative 68
13 number of spaces required for each use 69
14 shall determine the total number of spaces 70
15 required. (Amended Ordinance 128- 71
16 061207) 72
- 17 In the B-1, B-2 and B-3 districts, the num- 73
18 ber of parking spaces required by this sec- 74
19 tion shall be reduced by a credit of three 75
20 spaces. In granting the credit, the Plan 76
21 Commission will take into account, all of 77
22 the proposed required parking for all of the 78
23 businesses or uses on the parcel(s) or build- 79
24 ing(s) that comprise the development. If a 80
25 single development, building or parcel 81
26 contains multiple businesses, the three 82
27 parking space credit shall only be provided 83
28 once. The credit shall be applicable to fu- 84
29 ture business additions to existing busi- 85
30 nesses. (Amended Ordinance 128-061207) 86
- 31 In the B-3 district, the number of residen- 87
32 tial parking spaces required by this section 88
33 shall be reduced by a credit of one space. 89
34 In granting the credit, the Plan Commission 90
35 will take into account, all of the proposed 91
36 required parking for all of the residential 92
37 uses on the parcel(s) or building(s) that 93
38 comprise the development. If a single de- 94
39 velopment, building or parcel contains 95
40 multiple residential units, the one parking 96
41 space credit shall only be provided once. 97
42 The credit shall be applicable to future res- 98
43 idential unit additions to existing business- 99
44 es. (Amended Ordinance 128-061207) 100
- 45 (1) Residential Uses (including garage 101
46 spaces): 102
- 47 a. Single-family dwellings, two 103
48 spaces per dwelling unit. 104
- 49 b. Multiple-family dwellings: 105
- 50 1. In the R-2 district, one 106
51 and one-half spaces 107
52 per efficiency and 108
53 one-bedroom dwell- 109
54 ing unit, two spaces 110
55 per two-bedroom 111
56 dwelling unit, and 112
- two and one-half
spaces per three-
bedroom or larger
dwelling unit.
2. In the B-2 and B-3
districts, one space
per bedroom.
(Amended Ordinance
120-061306)
- c. Condominiums, Residential:
One space per one bedroom
unit, one and a half space
per two-bedroom unit and
two spaces per three-
bedroom unit.
- (2) Retail sales and customer service
uses, and places of entertainment,
except as specifically set forth be-
low, one space per 150 square feet
of gross floor area of customer sales
and service, plus one space per em-
ployee for the work shift with the
largest number of employees. In the
B-3 district the requirement shall be
one space per 300 square feet of
gross floor area of customer sales
and service, plus one space per em-
ployee for the work shift with the
largest number of employees:
- a. Financial Institutions, one
space for each 150 square
feet of gross floor area of cus-
tomer service, plus one
space per employee for the
work shift with the largest
number of employees. Fi-
nancial institutions with
drive-in facilities shall pro-
vide sufficient space for at
least four waiting vehicles at
each drive-in service device
and no queuing spaces shall
preclude the use of any park-
ing spaces, nor shall any
queuing take place in the
public right-of-way.
- b. Funeral Homes, one space
for each four patrons at max-
imum capacity, whichever is
greater, plus one space per
employee for the work shift
with the largest number of
employees.
- c. Grocery Stores, Food Stores
or Supermarkets, one space
per 150 square feet of gross

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| | | | | | |
|----|----|----------------------------------|-----|----|--------------------------------|
| 1 | | floor area of customer sales | 57 | | non-employee parking upon |
| 2 | | and service area, plus one | 58 | | request. (Amended Ordinance |
| 3 | | space per employee for the | 59 | | 172-081010). |
| 4 | | work shift with the largest | 60 | i. | Restaurants, Fast Food, |
| 5 | | number of employees. | 61 | | Drive-in and Take-out, one |
| 6 | d. | Convenience Grocery Stores, | 62 | | space per 50 square feet of |
| 7 | | one space per 150 square | 63 | | gross dining area, plus one |
| 8 | | feet of gross floor area of cus- | 64 | | space per employee for the |
| 9 | | tomers sales and service, plus | 65 | | work shift with the largest |
| 10 | | one space per employee for | 66 | | number of employees. |
| 11 | | the work shift with the largest | 67 | | (Amended Ordinance 172- |
| 12 | | number of employees. | 68 | | 081010) |
| 13 | | (Amended Ordinance 120- | 69 | j. | Repair Services, one space |
| 14 | | 061306) | 70 | | per 300 square feet of gross |
| 15 | e. | Condominiums Hotels, one | 71 | | floor area, plus one space |
| 16 | | space per one bedroom unit, | 72 | | per employee for the work |
| 17 | | one and a half spaces per | 73 | | shift with the largest number |
| 18 | | two bedroom unit and two | 74 | | of employees. |
| 19 | | spaces per three bedroom | 75 | k. | Theaters, Auditoriums and |
| 20 | | unit, plus one space per em- | 76 | | Other Places of Public As- |
| 21 | | ployee for the work shift with | 77 | | sembly, one space per three |
| 22 | | the largest number of em- | 78 | | patrons based on the maxi- |
| 23 | | ployees, plus one space per | 79 | | mum capacity of the facility |
| 24 | | three persons, based on max- | 80 | | plus one space per employee |
| 25 | | imum capacity for each pub- | 81 | | for the work shift with the |
| 26 | | lic meeting room and/or | 82 | | largest number of employees. |
| 27 | | banquet room. | 83 | l. | Personal Services, one space |
| 28 | f. | Motels and Hotels, one | 84 | | per employee for the work |
| 29 | | space per room or suite, plus | 85 | | shift with the largest number |
| 30 | | one space per employee for | 86 | | of employees and one and a |
| 31 | | the work shift with the largest | 87 | | half space for every chair or |
| 32 | | number of employees, plus | 88 | | customer service location in |
| 33 | | one space per three persons, | 89 | | a barbershop, nail salon, |
| 34 | | based on maximum capacity, | 90 | | tanning salon, hair salon or |
| 35 | | for each public meeting | 91 | | beauty parlor. (Amended |
| 36 | | room and/or banquet room. | 92 | | Ordinance 061306) |
| 37 | g. | Lodges and Clubs, one space | 93 | m. | Taverns, Dance Halls, Night |
| 38 | | per three persons, based on | 94 | | Clubs and Lounges, one |
| 39 | | the maximum capacity of the | 95 | | space per 100 square feet of |
| 40 | | facility, plus one space per | 96 | | gross dining area or one |
| 41 | | employee for the work shift | 97 | | space per three seats, which- |
| 42 | | with the largest number of | 98 | | ever is greater, plus one |
| 43 | | employees. | 99 | | space per employee for the |
| 44 | h. | Restaurants – General, one | 100 | | work shift with the largest |
| 45 | | space per 150 square feet of | 101 | | number of employees. |
| 46 | | gross dining space or one | 102 | n. | Motor Vehicle Sales Estab- |
| 47 | | space per four seats which- | 103 | | lishments, two customer |
| 48 | | ever is greater, plus one | 104 | | parking spaces per salesper- |
| 49 | | space per employee for the | 105 | | son, plus one space per em- |
| 50 | | work shift with the largest | 106 | | ployee for the work shift with |
| 51 | | number of employees. In the | 107 | | the largest number of em- |
| 52 | | B-2 and B-3, districts when | 108 | | ployees. |
| 53 | | the general restaurant is an | 109 | o. | Motor Vehicle Repair, |
| 54 | | accessory use to the retail | 110 | | Maintenance, and Service |
| 55 | | use on the property the Plan | 111 | | Stations, four spaces per in- |
| 56 | | Commission may waive the | 112 | | door service bay, plus one |

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| | | | | | |
|----|----|---------------------------------|-----|-----|--------------------------------------|
| 1 | | space per employee for the | 57 | (3) | Offices: |
| 2 | | work shift with the largest | 58 | a. | Medical, Dental and Similar |
| 3 | | number of employees, plus | 59 | | Professional Health Service |
| 4 | | parking for all vehicles used | 60 | | Offices, five patron spaces |
| 5 | | directly in the conduct of the | 61 | | per doctor, plus one space |
| 6 | | business. | 62 | | per employee for the work |
| 7 | p. | Car Washes, one space per | 63 | | shift with the largest number |
| 8 | | employee for the work shift | 64 | | of employees. |
| 9 | | with the largest number of | 65 | b. | Government, Professional |
| 10 | | employees. Car washes shall | 66 | | and Business Offices, one |
| 11 | | provide sufficient space for at | 67 | | space per 200 square feet of |
| 12 | | least four waiting vehicles at | 68 | | gross floor area, plus one |
| 13 | | each washing stall and suffi- | 69 | | space per employee for the |
| 14 | | cient space for drying two | 70 | | work shift with the largest |
| 15 | | vehicles after each washing | 71 | | number of employees, plus |
| 16 | | stall so as not to allow any | 72 | | one space for every three |
| 17 | | queuing of vehicles to take | 73 | | meeting room seats. |
| 18 | | place in the public right-of- | 74 | (4) | Business/Recreational Uses, except |
| 19 | | way. | 75 | | as specifically set forth below, one |
| 20 | q. | Animal Hospitals, three pa- | 76 | | space per four patrons, plus one |
| 21 | | tron parking spaces per doc- | 77 | | space per employee for the work |
| 22 | | tor, plus one space per em- | 78 | | shift with the largest number of em- |
| 23 | | ployee for the work shift with | 79 | | ployees. |
| 24 | | the largest number of em- | 80 | a. | Bowling Alleys, five spaces |
| 25 | | ployees. | 81 | | for each lane, plus one space |
| 26 | r. | Plant Nurseries, Lawn and | 82 | | per employee for the work |
| 27 | | Garden Supply Stores and | 83 | | shift with the largest number |
| 28 | | Lumberyards, one space per | 84 | | of employees. |
| 29 | | 200 square feet of gross in- | 85 | b. | Golf Courses, 90 spaces per |
| 30 | | door sales and display area, | 86 | | nine holes plus one space |
| 31 | | plus one space per 500 | 87 | | per employee for the work |
| 32 | | square feet of gross outdoor | 88 | | shift with the largest number |
| 33 | | sales and display area, plus | 89 | | of employees. |
| 34 | | one space per employee for | 90 | c. | Golf Driving Ranges, one |
| 35 | | the work shift with the largest | 91 | | space per tee, plus one space |
| 36 | | number of employees. | 92 | | per employee for the work |
| 37 | s. | Shopping Centers (Gross | 93 | | shift with the largest number |
| 38 | | Leasable Area of Less Than | 94 | | of employees. |
| 39 | | 50,000 Square Feet), seven | 95 | d. | Marinas, one space per five |
| 40 | | spaces per 1,000 square feet | 96 | | boat berths, plus 15 spaces |
| 41 | | of gross leasable area plus | 97 | | per boat launching ramp, |
| 42 | | one space per employee for | 98 | | plus one space per 500 |
| 43 | | the work shift with the largest | 99 | | square feet of dry boat stor- |
| 44 | | number of employees in the | 100 | | age area, plus one space per |
| 45 | | B-1 district only. | 101 | | employee for the work shift |
| 46 | t. | Shopping Centers (Gross | 102 | | with the largest number of |
| 47 | | Leasable Area of 50,000 | 103 | | employees. At least 20 per- |
| 48 | | Square Feet or More), five | 104 | | cent of the spaces required |
| 49 | | and one-half spaces per | 105 | | for boat launching ramps |
| 50 | | 1,000 square feet of gross | 106 | | shall be at least nine feet by |
| 51 | | leasable area, plus one space | 107 | | 35 feet to accommodate cars |
| 52 | | per employee for the work | 108 | | with boat trailers. |
| 53 | | shift with the largest number | 109 | e. | Miniature Golf Course, one |
| 54 | | of employees in the B-1 dis- | 110 | | and one-half (1½) spaces per |
| 55 | | trict only. | 111 | | hole, plus one space per em- |
| 56 | | | 112 | | ployee for the work shift with |

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SEC. 66.0404 ADJUSTMENTS TO REQUIRED PARKING

SEC. 66.0404 ADJUSTMENTS TO REQUIRED PARKING

| | | | |
|----|-----|---------------------------------|-----|
| 1 | | the largest number of em- | 56 |
| 2 | | ployees. | 57 |
| 3 | f. | Racquetball and Handball | 58 |
| 4 | | Courts, three spaces per | 59 |
| 5 | | court, plus one space per | 60 |
| 6 | | employee for the work shift | 61 |
| 7 | | with the largest number of | 62 |
| 8 | | employees, plus parking for | 63 |
| 9 | | other uses. | 64 |
| 10 | g. | Skating Rinks, Ice or Roller, | 65 |
| 11 | | one space per 200 square | 66 |
| 12 | | feet of gross floor area, plus | 67 |
| 13 | | one space per employee for | 68 |
| 14 | | the work shift with the largest | 69 |
| 15 | | number of employees. | 70 |
| 16 | h. | Tennis Courts, four spaces | 71 |
| 17 | | per court, plus one space per | 72 |
| 18 | | employee for the work shift | 73 |
| 19 | | with the largest number of | 74 |
| 20 | | employees. | 75 |
| 21 | i. | Volleyball Courts, 15 spaces | 76 |
| 22 | | per court, plus one space per | 77 |
| 23 | | employee for the work shift | 78 |
| 24 | | with the largest number of | 79 |
| 25 | | employees. | 80 |
| 26 | (5) | Institutional and Related Uses: | 81 |
| 27 | a. | Churches, one space per two | 82 |
| 28 | | seats in the main worship ar- | 83 |
| 29 | | ea. | 84 |
| 30 | b. | Libraries, one space per 250 | 85 |
| 31 | | square feet of gross floor area | 86 |
| 32 | | or one space per four seats | 87 |
| 33 | | based on maximum capacity, | 88 |
| 34 | | whichever is greater plus one | 89 |
| 35 | | space per employee for the | 90 |
| 36 | | work shift with the largest | 91 |
| 37 | | number of employees. | 92 |
| 38 | c. | Museums, one space per 250 | 93 |
| 39 | | square feet of gross floor area | 94 |
| 40 | | plus one space per employee | 95 |
| 41 | | for the work shift with the | 96 |
| 42 | | largest number of employees. | 97 |
| 43 | d. | Rooming and Boarding | 98 |
| 44 | | Houses, Bed and Breakfasts, | 99 |
| 45 | | one space per bedroom plus | 100 |
| 46 | | two spaces per owner. | 101 |
| 47 | e. | Convents, Rectories and | 102 |
| 48 | | Monasteries, one space per | 103 |
| 49 | | three residents plus one | 104 |
| 50 | | space per employee for the | 105 |
| 51 | | work shift with the largest | 106 |
| 52 | | number of employees, plus | 107 |
| 53 | | one space per five chapel | 108 |
| 54 | | seats if the public may at- | 109 |
| 55 | | tend. | 110 |

- f. Nursing Homes, one space per five patient beds, plus one-half space per employee for the work shift with the largest number of employees, plus one per living unit.
 - g. Hospitals, two spaces per three patient beds, plus one space per staff doctor, plus one space per employee, excluding doctors, for the work shift with the largest number of employees.
 - h. Children's Nursery Schools and Day-Care Centers, one space per employee for the work shift with the largest number of employees, and one space for every seven students allowed under the State license.
- (6) Light Assembly and Light Manufacturing Uses.
- a. Light Assembly and manufacturing, one space per employee for the work shift with the largest number of employees plus one space for every 500 square feet of gross office space. (Amended Ordinance 128-061207).

Sec. 66.0404 Adjustments to Required Parking

The purpose of this section is to allow adjustments to the minimum number of parking spaces required to avoid constructing unneeded and excessive off-street parking facilities. Reducing the amount of excess off-street parking facilities is intended to provide for more cost-efficient site development, to eliminate constructing more impervious surface than necessary, to minimize storm water runoff, to avoid construction of unnecessarily large storm water management facilities, and to provide more landscape areas and open space on business sites. To achieve these purposes, the Plan Commission may reduce the minimum number of required off-street parking spaces in specific cases as described in this section.

- (a) Adjustments.
In the R-2, B-1, B-2, B-3, P-1 and I-1 districts, the minimum number of required parking spaces may be adjusted by the Plan Commission on a case-by-case basis. The petitioner for such an adjustment shall show to the satisfaction of the Plan Com-

VILLAGE OF SISTER BAY ZONING CODE

1 mission that adequate parking will be provided for customers, clients, visitors and employees. The following provisions and factors shall be used as a basis to adjust parking requirements: (Amended Ordinance 120-061306)

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7 (1) Evidence that actual parking demands will be less than chapter requirements. The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the chapter requires. (Amended Ordinance 120-061306)

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16 (2) Availability of shared parking. The petitioner shall submit written documentation to the satisfaction of the Plan Commission that off-site shared parking spaces are available within 400 feet of the lot line and within the same block to satisfy the parking demand. When a reduction of parking spaces attributable to shared parking is requested, the petitioner shall submit written verification that such parking is available and shall include copies of any contracts, joint lease agreements, purchase agreements and other such documentation to show that such shared parking can be accomplished. All such agreements shall be recorded with the Door County Register of Deeds, at the applicant's expense, and a copy of the recorded agreement shall be filed with the Village Clerk. The off-site shared parking spaces shall be clearly posted for the joint use of employees, and/or tenants, or customers of each respective use sharing those spaces. (Amended Ordinance 120-061306)

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44 (3) Use of optional modes of transportation. Upon demonstration to the Plan Commission that effective alternative transportation to the automobile will occur within 12 months following the issuance of the certificate of compliance, the Plan Commission may reduce parking requirements. Optional modes of transportation may include, but are not limited to, bus transit, vanpool operations, car pool/ride sharing, moped, scooters

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57 and bicycles. (Amended Ordinance 120-061306)

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59 (b) Fee In Lieu of Creating Parking Spaces. A developer who chooses to not construct the required parking spaces on the parcel may be allowed to pay to the Village a one-time fee into a fund established by the Village to construct and maintain common transition parking spaces. A developer who cannot construct the required spaces on the parcel shall as a condition of approval pay to the Village a one-time fee into a fund established by the Village to construct and maintain common transition parking spaces. The payment of the fee to the Village in either instance shall absolve the developer from constructing the required number of spaces on their property. The fee shall be established annually by the Village Board of Trustees and reflect the cost of constructing and maintaining public parking lots. (Amended Ordinance 120-061306)

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80 (c) Large vehicles. All businesses that cater to customers, who drive vehicles larger than what can be accommodated in a 9' X 20' parking space, shall provide the appropriate number of parking spaces and access aisles to accommodate these vehicles. (Amended Ordinance 120-061306)

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88 (d) Space to be set aside for reduced parking. The site plan for the business use in the R-2, B-1, P-1 and I-1 districts shall be designed to provide sufficient open space on the subject site to accommodate the additional parking spaces otherwise required by this chapter. Such open space shall be in addition to required yards, setbacks, driveways, private streets, loading and service areas. Sufficient open space shall be provided which, if converted to parking spaces, would provide off-street parking to meet the full requirements of this chapter at the time of application. (Amended Ordinance 120-061306)

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103 (e) Changes in occupancy or use. When the use of a building, structure, or land is changed to another use or occupancy that requires more parking spaces than required for the use existing immediately prior to such change, additional parking spaces shall be constructed for the new use or occupancy in the amount necessary to conform to this chapter prior to the issuance of a Certificate of Occupancy for the

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0405 PARKING OF VEHICLES IN RESIDENTIAL DISTRICTS

SEC. 66.0405 PARKING OF VEHICLES IN RESIDENTIAL DISTRICTS

1 new use. [See section 66.1532(a) page 55
2 156] (Amended Ordinance 120-061306) 56
3 (f) Changes in intensity of use. 57
4 When the intensity of use of a building, 58
5 structure or land is increased by an addi- 59
6 tion of employees, gross floor area, seating 60
7 capacity, or other unit of measurement, 61
8 additional parking spaces shall be con- 62
9 structed for such additions in the amount 63
10 necessary to conform to this chapter. [See 64
11 section 66.1532(b) page 156] (Amended 65
12 Ordinance 120-061306) 66
13 (g) Plan Commission review and verification. 67
14 The Plan Commission shall review the ad- 68
15 equacy of parking where an adjustment to 69
16 parking requirements has been granted 70
17 within one year following such parking 71
18 modification grant and periodically there- 72
19 after to determine that the conditions just- 73
20 ifying the parking requirement still exist. If 74
21 the parking is found to be in-adequate, the 75
22 Plan Commission shall order the use of the 76
23 property to comply with the parking re- 77
24 quirements set forth in section 66.0403 78
25 [See page 81] of this chapter. (Amended 79
26 Ordinance 120-061306) 80
27 (h) B-3 District Exemption. 81
28 The exemption from certain parking re- 82
29 quirements granted by this section shall au- 83
30 tomatically expire 48 months from the date 84
31 of the adoption of the enabling ordinance. 85
32 The parking exemption and related re- 86
33 quirements shall only apply to the B-3 dis- 87
34 trict. (Amended Ordinance 201-091112) 88
35 (1) Subject to the requirements of site 89
36 and zoning approval all proposed 90
37 new uses, new buildings, expan- 91
38 sions of existing buildings, expand- 92
39 ed uses, changes in intensity of use 93
40 or changes in occupancy shall be 94
41 evaluated for the required number 95
42 of customer and employee parking 96
43 spaces. 97
44 (2) A calculation would be done to de- 98
45 termine the amount of parking re- 99
46 quired to achieve compliance with 100
47 the open space and related re- 101
48 quirements. 102
49 (3) The business shall be given the op- 103
50 tion of installing the required park- 104
51 ing or leaving the equivalent area as 105
52 landscaped open space except for: 106
53 a. All required parking for resi- 107
54 dential dwelling units or mo-

tel/hotel spaces must be con-
structed.
b. All required parking spaces
for more than four employ-
ees must be constructed.
c. All required parking in ex-
cess of forty (40) spaces must
be constructed.
(4) Other credits and adjustments relat-
ed to parking spaces provided for in
the Code would also apply.
(i) B-2 District Exemption.
If a development project includes contigu-
ous parcels zoned both B-3 and B-2 the
exemption from certain parking require-
ments granted by section (h) shall apply to
that portion of the project in the B-2 district
in the same manner. (Amended Ordinance
157-120809)

Sec. 66.0405 Parking of Vehicles in Residen- tial Districts

(a) General restrictions.
No car, truck, construction equipment or
commercial truck shall be parked regularly
upon a driveway or front yard in any resi-
dential zoning district except as provided
herein. Properties currently zoned residen-
tial and still used for agricultural purposes
shall be exempt from the provisions of this
section.
(1) Vehicles that do not exceed 12,000
lb. manufacturer's gross vehicle
weight may be parked on a drive-
way. Parking on lots that are used as
a one or two-family residence shall
be limited to parking within garag-
es, carports and upon residential
driveways consisting of crushed
stone, asphalt, concrete, brick or
other similar hard surface material.
(2) Additional vehicles may be parked
or stored on the lot within a fully
enclosed building.
(3) Vehicles shall be located outside of
all ultimate right-of-ways, vision
clearance triangles and drainage
and utility easement areas.
(4) A semi-tractor or vehicles over
12,000 lb. manufacturer's gross ve-
hicle weight may be parked in a res-
idential district if it is parked on the
owner's developed property and the
property is located along and hav-
ing access to a Class A highway.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0406 HIGHWAY ACCESS

SEC. 66.0406 HIGHWAY ACCESS

- 1 a. Vehicles over 12,000 lb. 57 owner or children of the property
2 manufacturer's gross vehicle 58 owner or resident at the property in
3 weight which were parked 59 question. If the property is rented,
4 prior to the adoption of this 60 such storage shall be permitted for
5 chapter or prior to the 61 the tenant only if such equipment is
6 change in the class designa- 62 owned by the tenant.
7 tion of the highway on prop- 63 (7) All equipment shall be parked or
8 erty fronting a road that had 64 stored as inconspicuously as possi-
9 been changed from a Class A 65 ble on the property. The area
10 Highway to a Class B High- 66 around the equipment or vehicle
11 way or is changed in the fu- 67 must be kept weed-free and free of
12 ture from a Class A Highway 68 accumulation of other stored mate-
13 to a Class B Highway, may 69 rial.
14 be parked on the owner's 70 (c) Recreation vehicle parking.
15 property, subject to the regu- 71 One major recreational vehicle may be
16 lations in this section. 72 stored outside in the rear or side yard of an
17 (b) Boat and trailer parking. 73 occupied residential or agricultural lot of
18 No boat, boat trailer, mobile home, motor 74 20,000 square feet or more provided it
19 home, motor coaches, truck campers, 75 shall not exceed 8.5 feet in width, 13 feet
20 camping trailers, travel trailers, fifth-wheel 76 in height and 32 feet in overall length.
21 trailers, large utility trailers, race cars and 77 (d) Living in trailers.
22 their trailers, sport aircraft and their trailer, 78 Except within an approved campground or
23 canoes or kayaks and their trailers, all- 79 mobile home park, no recreational vehicle
24 terrain vehicles and their trailers, tent 80 shall be used for the purpose of permanent
25 campers, folding campers, snow mobiles 81 habitation, living or housekeeping purpos-
26 and their trailers, cases or boxes used to 82 es in the Village. Permanent habitation is
27 transport recreational vehicles or their 83 defined as living in one place for more
28 equipment, yard maintenance equipment 84 than ten consecutive days.
29 and similar equipment or vehicles shall be 85 (e) Private parking restrictions.
30 parked or stored outside on a residentially 86 This chapter is not intended to allow park-
31 zoned lot for more than 24 hours, except 87 ing and storage of recreational vehicles or
32 as provided herein: 88 equipment where they may be otherwise
33 (1) They shall be located in the rear or 89 prohibited by deed restriction, covenant,
34 side yard and not closer than ten 90 prior orders, developer's agreement, or
35 feet to a side or rear lot line. 91 otherwise limited to topography or envi-
36 (2) Front yard location shall only be al- 92 ronmental restrictions.
37 lowed on a driveway or turnaround, 93 (f) Semi-trailer parking.
38 parked as close to the home as possi- 94 No semi-trailers or tractors are allowed to
39 ble except for the following which 95 be parked in any residential zoning district.
40 are prohibited in the front yard past 96 **Sec. 66.0406 Highway Access**
41 the 24-hour limit: mobile homes, 97 No direct private access (driveway) shall be per-
42 motor homes, motor coaches, truck 98 mitted to the existing or proposed rights-of-way of
43 campers and large utility trailers. 99 any controlled access arterial street without per-
44 (3) They shall be located outside of all 100 mission of the Plan Commission and the highway
45 ultimate right-of-ways, vision clear- 101 agency that has access control jurisdiction. In ad-
46 ance triangles and drainage and 102 dition, direct public or private access (driveway)
47 utility easement areas. 103 to streets and highways shall be permitted in ac-
48 (4) The recreational vehicle shall be 104 cordance with the following:
49 maintained in operable condition.
50 (5) Recreational vehicles that require 105 (a) Driveways on arterial streets.
51 registration shall be properly regis- 106 Driveways on arterial streets shall be locat-
52 tered. 107 ed a minimum of 100 feet from a street in-
53 (6) No recreational vehicles or equip- 108 tersection unless the lot width is less than
54 ment shall be stored in any open 109 100 feet, in which case the Plan Commis-
55 space outside a building unless such 110 sion shall determine the driveway location.
56 equipment is owned by the property 111 The setback shall be measured from the in-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0407 OTHER PARKING RESTRICTIONS

SEC. 66.0407 OTHER PARKING RESTRICTIONS

1 tersection of the right-of-way on the two
2 streets.

3 (b) Driveways on collector or local streets.
4 Driveways on collector or local streets
5 shall be located a minimum of 50 feet from
6 a street intersection. The setback shall be
7 measured from the intersection of the right-
8 of-way on the two streets.

9 (c) Driveways on corner lots .
10 Driveways on corner lots shall be located
11 on the less traveled street based on the local,
12 collector or arterial designation of the
13 streets. (Amended Ordinance 202-091112)

14 (d) Driveway widths.
15 Driveways shall not exceed 24 feet in
16 width on residential lots and 35 feet in
17 width on business lots. Driveways on thru
18 lots shall be no less than 15 feet if they are
19 one way and not exceed 24 feet if they are
20 two way. (Amended Ordinance 202-
21 091112)

22 (e) Driveway locations. (Amended Ordinance
23 202-091112)

24 (1) Driveways for R-1, R-3, R-4 and CS-
25 1 parcels must be at least ten feet
26 away from the side lot line. Vehicle
27 parking on those parcels must be at
28 least ten feet away from the side lot
29 line.

30 (2) Driveways for all other zoned parcels
31 must be at least five feet away
32 from the side lot line. Parking on
33 those parcels is not allowed within
34 the area defined as the side, rear or
35 front yard area on the lot, except as
36 specifically authorized.

37 (f) Numbers of driveways allowed.
38 Lots in the R-1, R-3, R-4, B-2 and B-3 dis-
39 tricts shall be limited to one driveway un-
40 less a second one is approved by the Plan
41 Commission. Lots in all other districts shall
42 be limited to two driveways.

43 (g) Access barriers.
44 Access barriers, such as curbing, fencing,
45 ditching, landscaping or other topographic
46 barriers, shall be placed to prevent unau-
47 thorized vehicular ingress or egress along
48 the segments of street frontage correspond-
49 ing to the minimum distances from street
50 intersections as specified above in items
51 (a), (b) and (c).

52 (h) Temporary access.
53 Temporary access to the above rights-of-
54 way may be granted by the Zoning Admin-
55 istrator and Village Engineer after review
56 and recommendation by the other highway

57 agencies having jurisdiction. Such access
58 permit shall be temporary, revocable, and
59 subject to any conditions required.

60 **Sec. 66.0407 Other Parking Restrictions**

61 (a) Vehicle and implements.
62 No visible unlicensed vehicle or unser-
63 viceable implements or equipment is per-
64 mitted within the Village limits.

65 (b) Business districts.
66 In the B-1, B-2, B-3, P-1 and I-1 districts no
67 part of the front yard and side yards shall
68 be used for the temporary or permanent
69 storage of boats, vehicles, equipment or
70 materials, except for the parking of li-
71 censed motor vehicles in permitted parking
72 lots. (Amended Ordinance 202-091112)

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0407 OTHER PARKING RESTRICTIONS

SEC. 66.0407 OTHER PARKING RESTRICTIONS

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VILLAGE OF SISTER BAY ZONING CODE

SECTION 500 - ACCESSORY USES, HOME OCCUPATIONS, FENCES, AND ANTENNAS

1 Sec. 66.0501 Accessory Uses and Structures

2 Accessory uses and structures are those that are
3 usually and customarily incidental to the principal
4 use that is located on the same property as the ac-
5 cessory use or structure. Accessory uses shall be
6 permitted in any district as may be specified in the
7 appropriate district regulations or herein.

8 (a) General regulations.

9 Accessory structures shall be subject to the
10 following regulations:

- 11 (1) Permit required. Accessory struc-
12 tures shall require a regular zoning
13 permit except: minor structures such
14 as birdhouses, yard light poles,
15 birdbaths, doghouses (housing dogs
16 which are licensed as the personal
17 pets of the residents of the property),
18 tree houses, noncommercial fuel
19 storage tanks and pumps, clothes-
20 line poles, lawn ornaments, flag
21 poles, mailboxes, garbage contain-
22 ers, ice fishing shanties, school bus
23 waiting shelters, and farm livestock
24 hutches. Accessory buildings greater
25 than 120 square feet in area shall
26 also require the issuance of a build-
27 ing permit.
- 28 (2) Living quarters prohibited. Accessory
29 structures shall not contain living
30 quarters.
- 31 (3) Accessory structures shall be locat-
32 ed on the same lot as the principal
33 use to which it is accessory.
- 34 (4) Accessory structures shall not be
35 permitted until its associated princi-
36 pal structure is present or under
37 construction, except that one acces-
38 sory building may be permitted pri-
39 or to the erection of a principal
40 structure only in the CS-1, R-1, R-3
41 and R-4 districts. (Amended Ordi-
42 nance 117-041806).
- 43 (5) No pole or block buildings with
44 smooth faced block or standing rib
45 metal siding will be permitted in
46 any district.
- 47 (6) Design guidelines. All accessory
48 structures except on residential par-
49 cels shall comply with the architect-

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- (7) The installation of sanitary sewer
service and water service to an ac-
cessory building shall be permitted
for a toilet and sink(s), upon the is-
suanace of a zoning permit, subject
to the following requirements:
(Amended Ordinance 144-081208)
 - a. The installation shall be sub-
ject to building code permit-
ting and inspection under
Chapter 14 Building Code.
 - b. The installation shall be sub-
ject to standards, policies,
fees and charges in Chapter
62 Utilities.
 - c. The accessory building shall
not contain living quarters.
 - d. The violation of the provi-
sions of this subsection shall:
 1. Result in a fine of
\$5,000 per month ret-
roactive to date the
living quarters were
found to have been
created in the build-
ing; and
 2. The removal of the
water and sanitary
sewer service from the
building; and
 3. The removal of the
living quarters found
in the building; and
 4. In addition, the pay-
ment of all fees and
penalties associated
with impact fees, zon-
ing permits, building
permits and other ap-
plicable fees if not
paid at the time the
installation occurred.
 - e. If the violation of this subsec-
tion does not involve living
quarters (7)(c) then the fol-
lowing shall apply:
 1. Result in a fine of
\$500 per month ret-
roactive to date the
improperly installed
installation was found
to have been created
in the building; and

VILLAGE OF SISTER BAY ZONING CODE

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|----|-----|-----|---|-----|----|------------------------------|
| 1 | | 2. | The inspection of the | 57 | | rating per ILHR 21.08. |
| 2 | | | installation under the | 58 | | Without the one-hour |
| 3 | | | then current building | 59 | | fire rating, the mini- |
| 4 | | | code; and | 60 | | imum separation shall |
| 5 | | 3. | In addition, the pay- | 61 | | be ten (10) feet. |
| 6 | | | ment of all fees and | 62 | 2. | An accessory building |
| 7 | | | penalties associated | 63 | | over 120 square feet |
| 8 | | | with impact fees, zon- | 64 | | may be erected, al- |
| 9 | | | ing permits, building | 65 | | tered or moved to a |
| 10 | | | permits and other ap- | 66 | | location within ten |
| 11 | | | licable fees if not | 67 | | (10) feet of the nearest |
| 12 | | | paid at the time the | 68 | | wall of the principal |
| 13 | | | installation occurred. | 69 | | building. |
| 14 | (b) | | <u>Setback requirements.</u> | 70 | c. | Side yard setback. |
| 15 | | (1) | All accessory structures except the | 71 | | 1. See district require- |
| 16 | | | minor structures in subsection (a)(1) | 72 | | ment for primary |
| 17 | | | shall comply with all setback and | 73 | | structures. (<i>Amended</i> |
| 18 | | | yard requirements for accessory | 74 | | <i>Ordinance 207-</i> |
| 19 | | | structures. (<i>Amended Ordinance</i> | 75 | | <i>100912</i>) |
| 20 | | | <i>207-100912</i>) | 76 | d. | Rear yard setback. |
| 21 | | (2) | If the Plan Commission establishes a | 77 | | 1. See district require- |
| 22 | | | large project setback as specified in | 78 | | ment for primary |
| 23 | | | Section 66.0307(d) that setback | 79 | | structures. (<i>Amended</i> |
| 24 | | | shall also apply to all accessory | 80 | | <i>Ordinance 207-</i> |
| 25 | | | buildings. (<i>Amended Ordinance</i> | 81 | | <i>100912</i>) |
| 26 | | | <i>207-100912</i>) | 82 | e. | Front yard setback. |
| 27 | | (3) | All accessory buildings for all zon- | 83 | | 1. No accessory building |
| 28 | | | ing districts, shall comply with the | 84 | | shall be placed in a |
| 29 | | | following setback requirements. | 85 | | front yard setback ar- |
| 30 | | | (<i>Amended Ordinance 207-100912</i>) | 86 | | ea, except as part of a |
| 31 | | | (Entire subsection amended Ordi- | 87 | | conditional use permit |
| 32 | | | nance 146-110408) | 88 | | issued by the Plan |
| 33 | | a. | Setback from easements. | 89 | | Commission |
| 34 | | | 1. No accessory building | 90 | | (Amended 111715) |
| 35 | | | shall be placed over | 91 | | 2. Existing single-family |
| 36 | | | an easement that pro- | 92 | | homes as of July 1, |
| 37 | | | hibits such placement. | 93 | | 2008, in the R-1 dis- |
| 38 | | | No accessory building | 94 | | trict located within |
| 39 | | | shall encroach into | 95 | | one hundred (100) |
| 40 | | | the public right-of- | 96 | | feet of the ordinary |
| 41 | | | way. No accessory | 97 | | high water mark may |
| 42 | | | building shall en- | 98 | | be permitted to have |
| 43 | | | croach upon the street | 99 | | one accessory build- |
| 44 | | | yard of a corner lot. | 100 | | ing located in the |
| 45 | | b. | Setback from principal build- | 101 | | front yard area set- |
| 46 | | | ings. | 102 | | back area. The acces- |
| 47 | | | 1. An accessory building | 103 | | sory building may not |
| 48 | | | of 120 square feet or | 104 | | be located any closer |
| 49 | | | less may be erected, | 105 | | than forty (40) feet |
| 50 | | | altered or moved to a | 106 | | from the edge of the |
| 51 | | | location that is not | 107 | | pavement and fifteen |
| 52 | | | less than five (5) feet | 108 | | (15) feet from the side |
| 53 | | | from the nearest wall | 109 | | lot line. Any modifica- |
| 54 | | | of a principal build- | 110 | | tions to non- |
| 55 | | | ing; if it is constructed | 111 | | conforming accessory |
| 56 | | | with a one-hour fire | 112 | | buildings subject to |

VILLAGE OF SISTER BAY ZONING CODE

1 this exemption shall 57
2 comply with 58
3 §66.0903. If an exist- 59
4 ing home is demol- 60
5 ished and rebuilt then 61
6 Section §66.0501 62
7 (b)(2)(e)(1) shall apply. 63
8 (4) Structures not buildings. 64
9 The following accessory structures that are 65
10 not buildings shall be constructed on a 66
11 property as follows: 67
12 a. Patios, constructed at or be- 68
13 low yard grade, may be in- 69
14 stalled in the rear or side 70
15 yard adjacent to a principal 71
16 structure without the iss- 72
17 uance of a zoning permit; and 73
18 shall not be located closer 74
19 than five feet to a lot line. 75
20 b. Decks located adjacent to or 76
21 attached to a principal struc- 77
22 ture shall not be closer to the 78
23 lot line than the required 79
24 front, side and rear setbacks 80
25 for principal structures for 81
26 the district in which they are 82
27 located. Freestanding decks 83
28 surrounding private swim- 84
29 ming pools shall be located 85
30 at least ten feet from the 86
31 principal structure and shall 87
32 be located at least ten feet 88
33 from a side or rear lot line. 89
34 All decks shall require the is- 90
35 suance of a zoning permit. 91
36 c. Air conditioning condensers 92
37 may be located adjacent to a 93
38 principal structure in the rear 94
39 yard and side yard, without 95
40 the issuance of a zoning 96
41 permit; provided, that all 97
42 condensers shall be located 98
43 at least five feet from a side 99
44 or rear lot line. Air condition- 100
45 ing condensers shall not be 101
46 located in the front yard. 102
47 d. Propane tanks may be locat- 103
48 ed adjacent to a principal 104
49 structure in the rear yard and 105
50 side yard, provided, that all 106
51 tanks shall be located at least 107
52 five feet from a side or rear 108
53 lot line. Propane tanks shall 109
54 not be located in the front 110
55 yard. Propane tanks shall be 111
56 buried unless blasting in rock 112

is required in which case the
tank shall be screened.
(Amended 134-121107)
e. Private swimming pools are
permitted as accessory uses
in the rear yard in any dis-
trict; except the W-1 district;
however the swimming pool
shall be located at least 20
feet from any side or rear lot
line, and be installed in ac-
cordance with the Village
building, plumbing, and
electrical codes, including
the issuance of all required
permits including a zoning
permit.
f. Private tennis courts are
permitted as accessory uses
in the rear yard in any dis-
trict; except the W-1 district.
A zoning permit is required
for all tennis courts and:
1. All tennis courts shall
be surrounded by a
fence not less than ten
feet in height.
2. No lighting installed
around a tennis court
shall project onto ad-
jacent properties; and
3. No private tennis
court shall be located
closer than ten feet to
a lot line.
g. Firewood shall not be stored
in the front yard.
h. Flagpoles are permitted as
accessory uses in all yards of
any zoning district.
(c) Floor area requirements. (Amended Ordinance 207-100912)
The permitted area of an accessory build-
ings listed below is also subject to the re-
spective zoning district open space re-
quirements.
(1) The combined maximum building
footprint of accessory buildings on
R-1 and R-4 residential lots shall not
exceed the area of the building
footprint of the principal building.
(2) The combined maximum building
footprint of accessory buildings on
R-3 and CS-1 lots shall not exceed
3,000 square feet without Plan
Commission permit approval.

VILLAGE OF SISTER BAY ZONING CODE

- 1 (3) The combined maximum building 56
2 footprint of accessory buildings on 57
3 R-2, B-1, B-2, B-3, I-1 and P-1 lots 58
4 shall not exceed the total footprint 59
5 of the principal building(s) without 60
6 Plan Commission permit approval. 61
7 (4) Buildings accessory to general agri- 62
8 cultural uses on farms or orchards 63
9 shall not be restricted in floor area. 64
10 Golf courses consisting of at least 9 65
11 holes and 2,500 playable yards, the 66
12 total floor area of all accessory 67
13 buildings on the lot shall not exceed 68
14 3,000 square feet. 69
15 (d) Height, Architectural and Site Plan Re- 70
16 quirements. *(Amended Ordinance 207-* 71
17 *100912)* 72
18 (1) The maximum height of an accesso- 73
19 ry building shall not exceed the 74
20 height of the principal building to 75
21 which it is accessory, without Plan 76
22 Commission permit approval, up to 77
23 a maximum height of 35 feet. 78
24 (2) Accessory buildings on R-2, B-1, B- 79
25 2, B-3, I-1 and P-1 lots shall con- 80
26 form to the established architectural 81
27 appearance, which exists for the 82
28 primary structure(s). 83
29 (3) Accessory buildings on R-2, B-1, B- 84
30 2, B-3, I-1 and P-1 lots, which do 85
31 not appear on an approved site 86
32 plan, in excess of 120 square feet, 87
33 require an amendment to the ap- 88
34 proved site plan by the Plan Com- 89
35 mission, before a zoning permit can 90
36 be issued. 91
37 (e) Home occupations. 92
38 Home occupations are permitted accessory 93
39 uses in any residential district and shall be 94
40 approved by the Plan Commission. Home 95
41 occupations and professional home offices 96
42 shall be permitted when incidental to the 97
43 principal residential use, situated upon the 98
44 same premise (inside and/or outside) and 99
45 carried on by the residential occupant, 100
46 subject to the following conditions, pro- 101
47 vided that: 102
48 (1) The primary use of the structure 103
49 shall be a dwelling unit. 104
50 (2) The following standards shall be 105
51 complied with in full at all times: 106
52 a. No more than one full time 107
53 equivalent person who is not 108
54 a resident of the dwelling 109
55 unit shall be engaged or em- 110
ployed in the home occupa-
tion on the premises.
b. No mechanical equipment
shall be utilized except that
which is necessarily, cus-
tomarily, or ordinarily used
for household or leisure pur-
poses.
c. No toxic, explosive, flamma-
ble, combustible, corrosive,
etiologic, radioactive, or oth-
er restricted materials shall
be used or stored on the site
except those, which are nec-
essarily, customarily, or or-
dinarily used for household
or leisure purposes.
d. There shall be no outside
operations, storage, or dis-
play of materials or products.
e. The home occupation shall
not occupy more than 20
percent of the square footage
of the primary residence. The
20 percent can be utilized
inside and/or outside. The
space, either inside or out-
side, cannot exceed 20 per-
cent of the square footage of
the primary residence.
f. No alteration of the residen-
tial appearance of the prem-
ises shall occur, including
the creation of a separate en-
trance for the home occupa-
tion.
g. No process shall be used
which is hazardous to public
health, safety, or welfare or
would create a nuisance or
be otherwise incompatible to
the surrounding residential
area; nor the removal of
sand, gravel, stone, topsoil or
peat moss for commercial
purposes.
h. The home occupation shall
not displace or impede use
of required parking spaces,
including any business stor-
age in required garage park-
ing areas.
i. All signage shall comply with
section 66.0730(c). [See
page 107].

VILLAGE OF SISTER BAY ZONING CODE

1 j. Any off-street parking area 57
2 provided shall be maintained 58
3 reasonably dustless and ade- 59
4 quately screened from ad- 60
5 joining residential properties. 61
6 One off-street parking space 62
7 shall be provided per 150 63
8 square feet of floor area used 64
9 for the household occupa- 65
10 tion. 66
11 k. The home occupation shall 67
12 not include the conduct of 68
13 any retail or wholesale busi- 69
14 ness on the premises, except 70
15 for the sale of products pro- 71
16 duced by the home occupa- 72
17 tion. 73
18 (3) The following uses are examples of 74
19 permitted home occupations: 75
20 a. Architectural services. 76
21 b. Art restoration. 77
22 c. Art studios. 78
23 d. Babysitting. 79
24 e. Cake decorating. 80
25 f. Consulting services. 81
26 g. Contracting, except car- 82
27 pentry, masonry services, 83
28 electrical services, plumbing, 84
29 and painting; 85
30 h. Data processing. 86
31 i. Direct sales representative. 87
32 j. Drafting and graphic ser- 88
33 vices. 89
34 k. Dressmaking, sewing, tailor- 90
35 ing, contract sewing (no 91
36 more than one type of any 92
37 machine). 93
38 l. Engineering services. 94
39 m. Financial planning and in- 95
40 vestment services. 96
41 n. Flower arranging. 97
42 o. Gardening and grass cutting. 98
43 p. Home crafts (including ce- 99
44 ramics with a kiln up to six 100
45 cubic feet). 101
46 q. House cleaning services. 102
47 r. Interior design. 103
48 s. Jeweler and jewelry making. 104
49 t. Laundry and ironing services. 105
50 u. Locksmith. 106
51 v. Millinery. 107
52 w. Private educational, musical 108
53 or artistic lessons. 109
54 x. Professional home offices. 110
55 y. Sales representative (office 111
56 only). 96

z. Tutoring.
aa. Typing and word processing services.
bb. Wallpapering.
cc. Watch repair;
dd. Writing and computer programming.
ee. Home occupations shall not be considered a non-conforming use should the regulations of this chapter be revised or amended.
(f) Rummage Sales.
Rummage sales shall not exceed three days in length nor occur more than six times per year and may be conducted in any residential, institutional or the B-2 district.

Sec. 66.0502 Fences

Fences are a permitted accessory use in any district and may be erected provided, that fences comply with the following requirements:

- (a) Fencing in general.
All fencing shall be placed on the property or properties being screened and shall not project into a public right-of-way, shall not obstruct the vision clearance triangle, and shall not extend over side or rear property lines. Planted fences shall be located away from the property line in locations where natural growth will not extend beyond the property lines, or the plantings shall be maintained at these lines.
- (b) Fencing locations.
Fences are permitted up to the lot line in the side and rear yards of all districts. Fences along the side and rear lot lines shall not exceed a height of six feet and shall not extend into the street yard. Fences paralleling any street shall not exceed four feet in height, except they may be constructed to a maximum height of six feet if they are constructed within the building envelope, excluding the front yard.
- (c) Fence permits.
No fence, except an ornamental fence, snow fence or fence constructed by utilities, shall be constructed in the Village without first obtaining a zoning permit from the Zoning Administrator.
- (d) Front yard and street yard fences.
No fence requiring a permit shall be constructed beyond the front of any building or in the street yard, except an ornamental fence; or where aesthetic considerations

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0503 ANTENNAS

SEC. 66.0503 ANTENNAS

1 may require a fence or wall to screen a
2 parking lot; or to screen the impact of a
3 State highway; or other unattractive area,
4 or to generally improve the aesthetics of a
5 development. Such fence or wall may be
6 erected by approval of the Plan Commis-
7 sion, which approval may include design
8 or other architectural requirements.

9 (e) Signs on fences.
10 Signs on fences shall be permitted accord-
11 ing to section 66.0700-66.0791. [See page
12 106]

13 (f) Fencing orientation.
14 Fencing shall be constructed with the fin-
15 ished or decorative side facing the adjacent
16 or abutting property owner or public street.
17 Fence posts shall be on the side of the
18 fence facing the permit applicant's proper-
19 ty.

20 (g) Fencing materials.
21 All fences shall be constructed in such a
22 manner and of such materials and colors
23 so as not to adversely affect the value of
24 adjoining property or property in the im-
25 mediate neighborhood. All fences shall be
26 maintained in good and aesthetic condi-
27 tion so as not to adversely affect the value
28 of adjoining property or property in the
29 immediate neighborhood. Chain link fenc-
30 es are not allowed in residential districts.
31 No fence may be constructed or main-
32 tained in such a manner, which is detri-
33 mental to human life or safety or causes a
34 traffic hazard.

35 (h) Electric fences.
36 Electric fences are permitted in the CS-1
37 district only. Electric fences are permitted
38 adjacent to the lot line and shall not ex-
39 ceed four feet in height in the street yard or
40 six feet in height in the side and rear yard.
41 Underground electric fences are allowed in
42 all districts.

43 (i) Security fences.
44 Security fences are permitted, upon the is-
45 suance of a zoning permit, adjacent to the
46 property lines in all districts except resi-
47 dential districts, and shall not exceed ten
48 feet in height. The Plan Commission shall
49 determine, before the issuance of a zoning
50 permit, on a case-by-case basis the opacity
51 of security fences, based upon considera-
52 tion of the need to screen materials and
53 upon safety considerations. Security fences
54 shall comply with the traffic visibility re-
55 quirements set forth in section 66.0401
56 [See page 81] of this chapter.

57 (j) Snow fences.
58 Snow fences are permitted without a per-
59 mit provided that such snow fence shall
60 not be installed prior to November 1 and
61 shall be removed no later than April 1 of
62 the following year.

63 (k) Corner lot fences.
64 All fences on corner lots shall comply with
65 the other requirements of this section;
66 however, the location of corner lot fences
67 shall be allowed at the discretion of the
68 Zoning Administrator, in conformity with
69 reasonable interpretation of this chapter or
70 at variance there from after considering the
71 location and layout of the residence, gar-
72 age, driveways and/or other buildings on
73 the lot; general architecture and location of
74 buildings on the subject lot as well as on
75 surrounding properties; visibility to nearby
76 pedestrian and vehicular traffic; and such
77 other additional considerations as may be
78 peculiar to the subject property and gen-
79 eral area. Any person aggrieved by a deci-
80 sion of the Zoning Administrator may ap-
81 peal for reconsideration by the Plan Com-
82 mission, which is hereby empowered to
83 hear such appeals. The appeals process
84 shall follow the same process as set out for
85 appeals to the Board of Appeals under sec-
86 tion 66.1601, [See page 161] however,
87 publication of notice and appeal fees shall
88 be discretionary with the Plan Commis-
89 sion.

90 **Sec. 66.0503 Antennas**

91 Antennas, including earth station dish antennas,
92 are permitted as accessory uses. Terrestrial anten-
93 nas may be located in the rear yard or on the roof
94 of the principal structure in all residential districts.
95 Earth station dish antennas may be located in the
96 rear yard in any residential district. Terrestrial an-
97 tennas and earth station dish antennas may be lo-
98 cated in the side or rear yard or on the roof of the
99 principal structure in all agricultural, business, in-
100 stitutional or park districts. In addition:

- 101 (a) All antennas, including earth station dish
102 antennas, shall be manufactured and in-
103 stalled in compliance with Federal Com-
104 munications Commission (FCC) and Feder-
105 al Aviation Administration (FAA) regula-
106 tions and applicable Village building and
107 electrical codes.
- 108 (b) Not more than one terrestrial and one earth
109 station dish antenna per dwelling unit shall
110 be permitted on a lot or parcel in a resi-
111 dential zoning district.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0504 WIRELESS TELECOMMUNICATION SITES

SEC. 66.0504 WIRELESS TELECOMMUNICATION SITES

- 1 (c) Earth station dish antennas shall be located 56
2 and designed to reduce their visual impact 57
3 on surrounding properties. 58
4 (d) No form of advertising or identification 59
5 may be displayed on the dish or framework 60
6 of an earth station dish other than the cus- 61
7 tomary manufacturer's identification plates. 62
8 (e) Portable or trailer-mounted antennas are 63
9 not permitted; with the exception of tem- 64
10 porary installation for on-site testing and 65
11 demonstration purposes for a period not to 66
12 exceed two days at any one location. 67
13 (f) Communication structures, such as radio 68
14 and television transmission and relay tow- 69
15 ers, aerials, and radio and television re- 70
16 ceiving and transmitting antennas, not in- 71
17 cluding ground and building-mounted 72
18 earth station dish antennas, shall not ex- 73
19 ceed a height of three times their distance 74
20 from the nearest lot line. Ground-mounted 75
21 earth station dish antennas shall not ex- 76
22 ceed a height of 15 feet. Building-mounted 77
23 earth station dish antennas shall not ex- 78
24 ceed the maximum height regulation of the 79
25 district in which they are located. 80
- 26 **Sec. 66.0504 Wireless Telecommunication**
27 **Sites** 81
28 The intent of this regulation is to provide for the 82
29 establishment and or expansion of wireless tele- 83
30 communication services within the Village while 84
31 protecting neighborhoods and minimizing the ad- 85
32 verse visual and operational effects of wireless 86
33 telecommunications facilities through careful de- 87
34 sign, siting and screening. More specifically this 88
35 regulation has been developed in order to: 89
- 36 • Maximize use of existing and approved 90
37 towers and other structures to accommo- 91
38 date new antennas and transmitters in or- 92
39 der to reduce the number of communica- 93
40 tion towers needed to serve the communi- 94
41 ty. 95
 - 42 • Encourage providers to co-locate their fa- 96
43 cilities on a single tower. 97
 - 44 • Minimize the location of facilities in visual- 98
45 ly sensitive areas. 99
 - 46 • Encourage creative design measures to 100
47 camouflage facilities. 101
 - 48 • Protect residential areas from potential ad- 102
49 verse impacts of communication towers. 103
 - 50 • Avoid potential damage to adjacent prop- 104
51 erties from tower failure through engineer- 105
52 ing and careful siting of tower structures. 106
- 53 (a) Location preferences. 107
54 The locations for siting the equipment in- 108
55 volved in receiving or transmitting elec- 109
110

tromagnetic waves associated with wireless telecommunication services are listed in the following order of preference.

- (1) On existing, towers that otherwise meet local, State and Federal regulations.
 - (2) On existing structures such as buildings, water towers and utility poles.
 - (3) On new towers less than 100 feet in height located in institutional zones.
 - (4) On new towers 100 feet or greater in height located in institutional zones.
 - (5) On new towers less than 100 feet in height located in a business zone.
 - (6) On new towers 100 feet or greater in height located in business zones.
 - (7) On new towers less than 100 feet in height located in residential zones.
 - (8) On new towers 100 feet or greater in height located in residential zones.
- (b) Permitted uses.
The following uses which, generally pose minimum adverse visual effect, shall be permitted without review by the Plan Commission. Such permitted uses must obtain a zoning and building permit, and are subject to the submittal requirements established in sections 66.1530 and 66.0504(e) of the Municipal Code.
- (1) Wireless telecommunications sites where the antenna is mounted to existing buildings, towers, utility poles, water towers, light standards or other structures provided the following standards are met:
 - a. No changes are made to the height of such structure.
 - b. No panel antenna shall exceed 72 inches in height and 24 inches in width.
 - c. No dish antenna shall exceed three feet in diameter.
- (c) Uses allowed only by conditional use permit.
Wireless telecommunications sites not otherwise permitted in subsection (c) shall be considered conditional uses in all zoning districts. All accompanying equipment buildings or boxes shall be screened and fenced as approved by the Village as part of the site plan review. In addition to specific requirements listed in subsections (f) and (g), the standards provided in section

VILLAGE OF SISTER BAY ZONING CODE

- 1 66.1535 [See page 156] shall also apply to 57
2 applications submitted under this section. 58
3 (d) Site Plan Requirements. 59
4 All proposals to develop a wireless tele- 60
5 communication site shall be subject to the 61
6 site plan requirements listed in section 62
7 66.1050 of these regulations. In addition, 63
8 the following information shall be submit- 64
9 ted: 65
10 (1) Permitted Use: 66
11 a. A plan showing where and 67
12 how the proposed antenna 68
13 will be affixed to a building 69
14 or structure. 70
15 b. Details of all proposed an- 71
16 tenna and mounting equip- 72
17 ment including size and col- 73
18 or. 74
19 c. An elevation of all proposed 75
20 equipment buildings or box- 76
21 es and details of all proposed 77
22 fencing and screening. 78
23 d. A design drawing including 79
24 cross section and elevation 80
25 of all proposed towers. A de- 81
26 scription of the tower's ca- 82
27 pacity including the number 83
28 and type of antennas it can 84
29 accommodate as well as the 85
30 proposed location of all 86
31 mounting positions for co- 87
32 located antennas and the 88
33 minimum separation dis- 89
34 tances between antennas. 90
35 Where a monopole is pro- 91
36 posed, the design shall illus- 92
37 trate how the tower will col- 93
38 lapse upon itself without en- 94
39 croaching upon any adjoining 95
40 property line. 96
41 e. A report from a licensed en- 97
42 gineer indicating that the 98
43 proposed wireless telecom- 99
44 munication site will comply 100
45 with the emission standards 101
46 found in this regulation. Such 102
47 report shall also certify that 103
48 the installation of such site 104
49 will not interfere with public 105
50 safety communications. 106
51 f. An analysis of the fall zone 107
52 for the proposed tower pre- 108
53 pared by a licensed engineer. 109
54 g. Proof that either the appli- 110
55 cant or co-applicant holds a 111
56 bona fide license from the 112
- Federal Communications
Commission (FCC) to provide
the telecommunications ser-
vices that the proposed tower
is designed to support.
h. A report or letter from the
Federal Aviation Administra-
tion (FAA) that the proposed
tower complies with all air-
port safety requirements of
and for Ephraim-Gibraltar
Airport.
i. A map depicting the extent
of the provider has planned
coverage within the Village
of Sister Bay and the service
area of the proposed wireless
telecommunications site.
j. A map indicating the search
radius for the proposed wire-
less telecommunication site.
(2) Conditional Use Permit.
a. All of the plans and infor-
mation required for Permit-
ted Uses in the previous sub-
section.
b. Upon request of the Plan
Commission, the applicant
shall provide a simulation of
the proposed wireless tele-
communication site in order
to help the Plan Commission
ascertain the visual impacts
associated with such pro-
posal.
c. For towers located in a resi-
dential zoning district or
within 1,000 feet of a resi-
dential zoning district, the
applicant shall provide a
view shed analysis showing
all areas from which the
tower would be visible.
(e) Height and setback requirements.
(1) Height.
a. The maximum height of a
tower proposed under sec-
tion 66.0504 shall be 200
feet including the antenna
and all other appurtenances.
The height of a tower
mounted on a building shall
be measured from the aver-
age level of the ground along
all walls of the building to
the tallest point on the tower

VILLAGE OF SISTER BAY ZONING CODE

| | | | | | |
|----|-----|---------------------------------|-----|-----|---|
| 1 | | including the antenna and all | 57 | | feet or greater in area, shall |
| 2 | | other appurtenances. | 58 | | comply with the minimum |
| 3 | b. | The maximum height of any | 59 | | property line setbacks for a |
| 4 | | rooftop mounted equipment | 60 | | principal building in the un- |
| 5 | | building or box shall be 15 | 61 | | derlying zone. |
| 6 | | feet above the roof surface. | 62 | e. | All equipment build- |
| 7 | (2) | Setbacks. | 63 | | ings/boxes or equipment are- |
| 8 | a. | All freestanding monopole | 64 | | as which are each less than |
| 9 | | towers shall comply with the | 65 | | 50 square feet in area shall |
| 10 | | following minimum property | 66 | | comply with the following |
| 11 | | line setbacks: | 67 | | minimum property line set- |
| 12 | | 1. Front yard or street | 68 | | backs: |
| 13 | | yard – A distance | 69 | | 1. Front yard or street |
| 14 | | equal to $\frac{3}{4}$ of the | 70 | | yard – Same as for a |
| 15 | | height of the tower or | 71 | | principal building in |
| 16 | | the setback required | 72 | | the underlying zone. |
| 17 | | for the underlying | 73 | | 2. Rear and side yards – |
| 18 | | zone, whichever is | 74 | | five feet. |
| 19 | | greater. | 75 | (f) | <u>General requirements.</u> |
| 20 | | 2. Side or rear yards in | 76 | (1) | No wireless telecommunication site |
| 21 | | residential zones, 50 | 77 | | shall be located within 200 feet of |
| 22 | | feet for towers less | 78 | | an existing or proposed residence. |
| 23 | | than 60 feet in height | 79 | (2) | No lights shall be mounted on pro- |
| 24 | | and 100 feet for tow- | 80 | | posed towers unless otherwise re- |
| 25 | | ers equal to or greater | 81 | | quired by the FAA. All strobe light- |
| 26 | | than 60 feet. | 82 | | ing, except for municipal purposes, |
| 27 | | 3. Side or rear yards in | 83 | | shall be avoided if possible. |
| 28 | | nonresidential zones, | 84 | (3) | Towers not requiring special FAA |
| 29 | | 25 feet for towers less | 85 | | painting or markings shall be paint- |
| 30 | | than 60 feet in height | 86 | | ed a non-contrasting blue or gray. |
| 31 | | and 50 feet for towers | 87 | (4) | Towers may not be used to exhibit |
| 32 | | equal to or greater | 88 | | any signage or other advertising. |
| 33 | | than 60 feet. Where a | 89 | (5) | Any proposed tower shall be de- |
| 34 | | side or rear lot line is | 90 | | signed in all respects to accommo- |
| 35 | | contiguous to a resi- | 91 | | date both the applicant's antennas |
| 36 | | dential zone, the set- | 92 | | and comparable antennas for at |
| 37 | | back for that particu- | 93 | | least two additional users if the |
| 38 | | lar yard shall be as re- | 94 | | tower is over 100 feet in height or |
| 39 | | quired for such a tow- | 95 | | for at least one additional compara- |
| 40 | | er in a residential | 96 | | ble antenna if the tower is between |
| 41 | | zone. | 97 | | 50 and 100 feet in height. The Plan |
| 42 | b. | All other towers in residential | 98 | | Commission may require the tower |
| 43 | | zones shall provide a setback | 99 | | to be of such design as to allow for |
| 44 | | from any property line that is | 100 | | future rearrangement of antennas |
| 45 | | equal to 125 percent of the | 101 | | upon the tower and to accommo- |
| 46 | | proposed tower height or | 102 | | date antennas mounted at varying |
| 47 | | 200 feet, whichever is great- | 103 | | heights. |
| 48 | | er. | 104 | (6) | Antennas or equipment build- |
| 49 | c. | All other towers in nonresi- | 105 | | ings/boxes mounted to or on build- |
| 50 | | dential zones shall provide a | 106 | | ings or structures shall, to the great- |
| 51 | | setback from any property | 107 | | est degree possible, blend with the |
| 52 | | line equal to the height of the | 108 | | color and design of such building or |
| 53 | | tower. | 109 | | structure. |
| 54 | d. | All equipment build- | 110 | (7) | No proposed wireless telecommu- |
| 55 | | ings/boxes or equipment are- | 111 | | nication site shall be designed, lo- |
| 56 | | as, which are each 50 square | 112 | | cated or operated as to interfere |

VILLAGE OF SISTER BAY ZONING CODE

- 1 with existing or proposed public 56
2 safety communications. 57
- 3 (8) The design of all wireless telecom- 58
4 munication sites shall comply with 59
5 the standards promulgated by the 60
6 FCC for emissions. 61
- 7 (9) All utilities proposed to serve new 62
8 wireless telecommunication sites 63
9 shall be installed underground un- 64
10 less otherwise approved by the Plan 65
11 Commission. 66
- 12 (10) All generators installed in conjunc- 67
13 tion with any wireless telecommu- 68
14 nication site shall comply with all 69
15 Village noise regulations. 70
- 16 (g) Factors upon which conditional use permit 71
17 decisions of the Plan Commission shall be 72
18 based. 73
- 19 In considering applications for wireless tel- 74
20 ecommunication sites, the Plan Commis- 75
21 sion shall also find: 76
- 22 (1) In the case where an application for 77
23 the proposed location of a wireless 78
24 telecommunication facility is not a 79
25 preferred site as identified in section 80
26 66.0504(b)(1) through (8), that the 81
27 applicant has adequately described 82
28 the efforts and measures taken to 83
29 pursue those preferences and why a 84
30 higher preference location was not 85
31 technologically, legally or econom- 86
32 ically feasible. The supplied docu- 87
33 mentation should evaluate the fol- 88
34 lowing factors: 89
- 35 a. The planned equipment 90
36 would cause unacceptable 91
37 interference with the opera- 92
38 tion of other existing or 93
39 planned equipment on an 94
40 existing or approved tower as 95
41 documented by a qualified 96
42 licensed engineer and that 97
43 the interference cannot be 98
44 prevented or eliminated at a 99
45 reasonable cost as deter- 100
46 mined by the Plan Commis- 101
47 sion. 102
- 48 b. The planned equipment can- 103
49 not be accommodated on ex- 104
50 isting or approved towers 105
51 due to structural deficiencies 106
52 as documented by a quali- 107
53 fied licensed engineer and 108
54 that such deficiencies cannot 109
55 be eliminated at a reasonable 110
111
- cost as determined by the 56
Plan Commission. 57
- c. The existing or planned 58
equipment on an existing or 59
approved tower would cause 60
unacceptable interference 61
with the equipment proposed 62
by the applicant as docu- 63
mented by a qualified li- 64
censed engineer and that the 65
interference cannot be pre- 66
vented or eliminated at a 67
reasonable cost as deter- 68
mined by the Plan Commis- 69
sion. 70
- d. Any restriction or limitation 71
imposed by the FCC. 72
- (h) Abandonment. 73
A wireless telecommunication site not in 74
use for 12 consecutive months shall be re- 75
moved by the service facility owner. This 76
removal shall occur within 90 days of the 77
end of such 12-month period. Upon re- 78
moval, the site shall be restored to its pre- 79
vious appearance and, where appropriate, 80
re-vegetated to blend with the surrounding 81
area. If the service facility owner fails to 82
remove their facilities within this period, 83
after receiving prior written notice from the 84
Village, the Village shall remove said facili- 85
ties and shall charge the cost of such re- 86
moval to the property involved, pursuant to 87
Wisconsin Statutes Section 66.0413. 88
- (i) Expiration of permit. 89
The approval of an application for condi- 90
tional use permit shall be void and of no 91
effect unless construction of the project 92
commences within one year and is com- 93
pleted within two years from the date of 94
the approval granted by the Village Board. 95
For purposes of this regulation, start of 96
construction shall be defined as the instal- 97
lation of a permanent building foundation 98
or slab. The Village Board may grant up to 99
two six-month extensions of the time to 100
start construction upon written request by 101
the applicant. The Village Board shall not 102
approve an extension unless the develop- 103
ment plan is brought into conformance 104
with any relevant zoning regulations, 105
which have been amended subsequent to 106
the original approval and unless the appli- 107
cant provides adequate evidence that con- 108
struction is able to begin within the ex- 109
tended time period sought. The Village 110
Board may, as a condition of approval of a 111

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0505 WIND POWER GENERATING TOWERS

SEC. 66.0506 OUTDOOR DISPLAYS

1 conditional use permit, establish a time
2 that such conditional use permit shall re-
3 main in effect.

4 **Sec. 66.0505 Wind Power Generating Towers**

5 Wind power generation shall be permitted in any
6 district in the Village, in conformance with Wis-
7 consin 2009 Act 40, PSC 128, and shall it be
8 permitted on the waters of Green Bay within the
9 jurisdiction of the Village.

10 **Sec. 66.0506 Outdoor Displays**

11 (a) Outdoor displays which are allowed on a
12 regular basis in the B-1 District and do not
13 require a permit.

14 No permit will be required if the owner of
15 a business in the B-1 District wishes to dis-
16 play merchandise which is for sale out-
17 doors, excluding the items included in (d).
18 The display must satisfy the following re-
19 quirements:

20 (1) The outdoor display of merchandise
21 shall not extend more than 50 per-
22 cent from the building into the re-
23 quired front setback area.

24 (2) Signs, screening, enclosures, land-
25 scaping or materials being displayed
26 shall not interfere in any manner
27 with either on-site or off-site traffic
28 visibility, including pedestrian traf-
29 fic.

30 (3) The display area shall not inhibit the
31 use of or number of required park-
32 ing stalls.

33 (4) Display areas shall be separated
34 from any vehicular parking or circu-
35 lation area and the separation shall
36 be clearly indicated.

37 (5) If goods are removed from the dis-
38 play area, all support fixtures shall
39 also be removed.

40 (b) Outdoor displays which are allowed on a
41 regular basis in the B-2 and B-3 Districts
42 and do not require a permit.

43 No permit will be required if the owner of
44 a business in the B-2 District or the B-3
45 District wishes to display a small amount
46 of merchandise which is offered for sale
47 outdoors, excluding the items included in
48 (d). The display must satisfy the following
49 requirements:

50 (1) The appearance of the display must
51 be proportionate to the size of the
52 building in which the store is locat-
53 ed.

54 (2) The items to be displayed outdoors
55 must be placed at least twenty feet

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from the face of the curb. If it will
be impossible for a business owner
to satisfy the twenty-foot regulation
a small display will be allowed by
the building entrance.

(c) Number of sidewalk sales allowed per cal-
endar year.

(1) No permit will be required for
sidewalk sales in any of the business
districts, but no more than twelve
(12) of such sales will be allowed in
a calendar year.

(2) The appearance of the merchandise
displayed during a sidewalk sale
must also be proportionate to the
size of the building in which the
store is located.

(d) Outdoor displays which do require a per-
mit in all business districts.

(1) If the owner of a business in any
business district within the Village
limits wishes to display larger items
such as automobiles, trucks, motor-
cycles, RV's, campers, ATV's, boats
and the like, a permit which deline-
ates the area where the large item
display will be allowed is required,
but the display must meet the fol-
lowing requirements:

(2) The display shall not extend more
than 20 percent from the building
into the front yard area, and may
not extend into the required side or
rear setbacks.

(3) Automobiles, trucks, motorcycles
and boats shall only be displayed or
placed on a surface as specified in
Section 66.0403(f)(1) of the Zoning
Code.

(4) The display area shall not inhibit the
use of or number of required park-
ing stalls.

(5) Display areas shall be separated
from any vehicular parking or circu-
lation area and the separation shall
be clearly indicated.

(6) If goods are removed from the dis-
play area, all support fixtures shall
also be removed.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0506 OUTDOOR DISPLAYS

SEC. 66.0506 OUTDOOR DISPLAYS

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0601 HEIGHT MODIFICATIONS

SEC. 66.0602 SETBACK MODIFICATIONS

SECTION 600 - MODIFICATIONS

3 Sec. 66.0601 Height Modifications

4 The district height limitations included elsewhere
5 in this chapter may be exceeded, but shall be in
6 accord with the following:

7 (a) Architectural projections.

8 Architectural projections, such as spires,
9 belfries, parapet walls, cupolas, domes,
10 flues and chimneys, are exempt from the
11 height limitations of this chapter, but may
12 be regulated by FCC or FAA regulations
13 where applicable. The cupolas shall not
14 exceed 64 square feet in floor area includ-
15 ing stairwells and shall not be higher than
16 eight feet above the adjacent roof ridge
17 and not contain any living quarters.

18 (b) Special structures.

19 Special structures, such as elevator pent-
20 houses, grain elevators, necessary mechan-
21 ical appurtenances, cooling towers, fire
22 towers, solar collectors, substations and
23 smoke stacks, are exempt from the height
24 limitations of this chapter.

25 (c) Essential services.

26 Essential services, utilities, water towers
27 and electric power and communication
28 transmission lines are exempt from the
29 height limitations of this chapter.

30 (d) Observation towers.

31 Observation towers shall not exceed in
32 height two times their distance from the
33 nearest lot line.

34 (e) Agricultural structures.

35 Agricultural structures, such as barns and
36 silos, shall not exceed in height twice their
37 distance from the nearest lot line.

38 Sec. 66.0602 Setback Modifications

39 The setback requirements included elsewhere in
40 this chapter may be modified as follows:

41 (a) Architectural projections.

42 Architectural projection, such as eaves,
43 chimneys, bay windows, overhangs, cor-
44 nices, awnings, canopies and similar archi-
45 tectural features may encroach into set-
46 backs by no more than four feet, subject to
47 compliance with applicable standards of
48 the Building Code and Fire Code. Eaves,
49 overhangs, cornices, awnings, canopies
50 and similar architectural features may en-
51 croach into the right-of-way subject to

52 conditional use approval by the Plan
53 Commission. Walls and fences may be
54 placed on the property line, subject to the
55 requirements of standards on Landscaping
56 and Fences and Walls.

57 (b) Essential services.

58 Essential Services, utilities and electric
59 power and communication transmission
60 lines are exempt from the setback require-
61 ments of this chapter.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0602 SETBACK MODIFICATIONS

SEC. 66.0602 SETBACK MODIFICATIONS

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VILLAGE OF SISTER BAY ZONING CODE

SECTION 700 - SIGNS

1 Note: This entire section was revised by Ordinance 185-041211.

3 Sec. 66.0700 Purpose and Intent

4 (a) The purpose of this Sign Section is to provide the legal framework and minimum standards to safeguard life, property, public welfare by regulating and controlling the number, size, quality of materials, construction, location, illumination, installation and maintenance of all signs as compatible with zoning regulations.

12 (b) This chapter recognizes the need for well-maintained and attractive sign displays within the Village and the need for adequate business identification, advertising and communication. Because of the unique qualities of the Village of Sister Bay, which need to be protected and enhanced, a high degree of control over the construction materials of signs is deemed to be an important public purpose.

22 (c) This chapter authorizes the use of signs on public and private property, provided the signs are:

- 25 (1) Compatible with the Zoning District regulations.
- 27 (2) Compatible with the approved Architectural Design Manual and other approved guides and manuals.
- 30 (3) Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety.
- 34 (4) Legible, readable, visible and well designed for the circumstances in which they are used.
- 37 (5) Respectful of the reasonable rights of other advertisers.
- 39 (6) Not covering any major architectural detail.

41 Sec. 66.0701 Design Guidelines

42 (a) The Village recognizes the decision of the United States Supreme Court, as outlined in Reed v. Gilbert. As such, section 66.0701 is intended to act as a set of suggestions to sign producers and property owners on what types of signs the Village would prefer to see in order to preserve the small town charm of the community.

50 (b) Signs are one of the most prominent visual elements of a street. Well-designed signs add interest and variety to building facades

53 and help to attract customers. In general, the sign is the best representation of the business to the passing pedestrian or motorist. The design guidelines shall be used as an important part of sign review and approval.

59 (c) Before starting to design a sign, take a careful look at the building. Is there an obvious space on the building where the sign would look appropriate without covering architectural details? Some of the Village's older buildings were designed with a horizontal "sign space" stretching across the top of the storefront which should be used. If this "sign space" does not exist perhaps, there is adequate wall area for a wall sign with appropriate space for a projecting sign.

71 (d) Take a look at neighboring buildings. Is there a predominant type of sign or a size precedent? In designing a sign, it is important to have an understanding not only of the building but also of the compatibility within the neighborhood. The basis for decisions on sign type, size and location should come from architectural concerns. The specific definitions and regulations governing the various types of signs in this section should be studied before actual design begins.

83 (e) To achieve the objective of these guidelines for sign details include the following:

85 (1) Simplicity.
86 An effectively designed sign with bold, easily recognized symbols and clear crisp lettering will identify a business or activity efficiently and attractively, enhance the area in which it is located and complement the general appearance of the street and Village.

94 (2) Color.
95 Restraint should be exercised when selecting colors. On most signs, no more than three colors should be used: one for background, a contrasting color for lettering, and a third for perhaps emphasis (such as for borders, motifs, or shading of letters to give it a three-dimensional look). Colors should be chosen which complement each other as well as the general tone of the building.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0710 BUSINESS DISTRICT SIGNAGE WITH PERMIT

SEC. 66.0710 BUSINESS DISTRICT SIGNAGE WITH PERMIT

- (3) Messages.
Messages should be simple for rapid comprehension by the public. Pictures, symbols, and logos can add individuality and character to signs, in addition to making them easier to read.
- (4) Materials.
Sign materials shall be compatible with the surrounding area. Sign materials shall be consistent with or at least complement the original construction materials and architectural style of the building façade on which they are to be displayed.
- (5) Lettering.
Lettering styles should complement the style and period of the building on which they appear. Traditional block and curvilinear styles, which are easy to read, are preferred. Generally, different type styles should not be used on the same sign to avoid a cluttered appearance.

Sec. 66.0710 Business District Signage with Permit

- (a) In General.
Signs are permitted in all business districts subject to the requirements in this Chapter.
- (b) Determination of allowable signage.
The area of each building's signage shall be the lineal feet of the front of the building multiplied by the story factor below. A basement shall not count as a story. See Section 66.0753(g) on the manner to determine the linear front footage. No single projecting or ground sign may exceed 24 square feet in area per side.

The following table shall be used to calculate the area of allowable signage. Measure the width of the building and use the proper multiplier for the building width range to determine the allowable square feet of signage permitted.

| Building Width Range in Feet | Multiplier | | |
|------------------------------|------------|-----------|-------------|
| | One Story | Two Story | Three Story |
| 0 | 0.750 | 0.830 | 0.900 |
| 5 | 0.750 | 0.830 | 0.900 |
| 10 | 0.750 | 0.830 | 0.900 |

| Building Width Range in Feet | One Story | Two Story | Three Story |
|------------------------------|-----------|-----------|-------------|
| 15 | 0.750 | 0.830 | 0.900 |
| 20 | .750 | .830 | .900 |
| 25 | .750 | .830 | .900 |
| 30 | .750 | .830 | .900 |
| 35 | 0.721 | 0.798 | 0.865 |
| 40 | 0.711 | 0.787 | 0.853 |
| 45 | 0.701 | 0.776 | 0.842 |
| 50 | 0.692 | 0.765 | 0.830 |
| 55 | 0.682 | 0.754 | 0.818 |
| 60 | 0.672 | 0.743 | 0.807 |
| 65 | 0.663 | 0.733 | 0.795 |
| 70 | 0.653 | 0.722 | 0.783 |
| 75 | 0.643 | 0.711 | 0.772 |
| 80 | 0.633 | 0.700 | 0.760 |
| 85 | 0.624 | 0.689 | 0.748 |
| 90 | 0.614 | 0.678 | 0.737 |
| 95 | 0.604 | 0.668 | 0.725 |
| 100 | 0.594 | 0.657 | 0.713 |
| 105 | 0.585 | 0.646 | 0.702 |
| 110 | 0.575 | 0.635 | 0.690 |
| 115 | 0.565 | 0.624 | 0.678 |
| 120 | 0.556 | 0.613 | 0.667 |
| 125 | 0.546 | 0.602 | 0.655 |
| 130 | 0.536 | 0.592 | 0.643 |
| 135 | 0.526 | 0.581 | 0.632 |
| 140 | 0.517 | 0.570 | 0.620 |
| 145 | 0.507 | 0.559 | 0.608 |
| 150 | 0.497 | 0.548 | 0.597 |
| 155 | 0.488 | 0.537 | 0.585 |
| 160 | 0.478 | 0.527 | 0.573 |
| 165 | 0.468 | 0.516 | 0.562 |
| 170 | 0.458 | 0.505 | 0.550 |
| 175 | 0.449 | 0.494 | 0.538 |
| 180 | 0.439 | 0.483 | 0.527 |
| 185 | 0.429 | 0.472 | 0.515 |
| 190 | 0.419 | 0.462 | 0.503 |
| 195 | 0.410 | 0.451 | 0.492 |
| 200 | 0.400 | 0.440 | 0.480 |
| Over 200 | 0.390 | 0.429 | 0.468 |

- (c) Window Signs.
All businesses are allowed window signs, which may be placed only on the inside of

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0711 COMMERCIAL CENTER SIGNAGE WITH PERMIT

SEC. 66.0711 COMMERCIAL CENTER SIGNAGE WITH PERMIT

1 buildings and shall not exceed 25 percent
2 of the glass area of the windows fronting
3 on a public street.. Window signs as speci-
4 fied above shall not require a permit.
5 (d) Awning Signage.
6 All businesses are allowed signage on awn-
7 ings subject to permit. Awning signage
8 may include logos, business names, sym-
9 bols and wording placed only on the flap.
10 Awning/canopy covering pedestrian or ve-
11 hicle access areas signs shall provide no
12 less than eight feet vertical clearance be-
13 tween the bottom of the sign and the
14 ground, (finished surface), directly beneath
15 the awning/canopy. Signage on awnings
16 shall not count towards total signage.
17 (e) Signage at the Entrance of Tenant Spaces.
18 One sign placed at the entrance of the
19 space for each separate tenant space in
20 multi-tenant buildings may be placed on
21 the building and each directory sign shall
22 not exceed two square feet per side. In lieu
23 of one entrance directory sign for each
24 separate tenant space, a single wall sign
25 may be permitted. The area of the wall sign
26 shall be no larger than the cumulative
27 amount of the permitted separate entrance
28 directory signs. The in lieu of sign shall be
29 in addition to the sign areas allowed in (b)
30 above and shall conform to all of the re-
31 quirements of this section.
32 (f) Certain Sandwich Board Signs.
33 See Section 66.0713.
34 (g) Permitted Types of Signs.
35 A business may divide the total permitted
36 signage into any combination of the four
37 types listed below, not to exceed the total
38 permitted area limits set forth in (b) above.
39 (1) Wall signs placed flat against the
40 exterior walls of a building shall not
41 extend above the roofline. Wall
42 signs shall not extend beyond the
43 ends of the wall to which they are
44 attached.
45 (2) Projecting signs fastened to, sus-
46 pended from or supported by struc-
47 tures, shall not extend more than six
48 feet into the required yard area,
49 shall not extend into any public
50 right-of-way, shall not extend over
51 any driveway and, shall be at least
52 ten feet from all side lot lines. The
53 projecting sign shall not be located
54 at a point higher than 75% of the

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10 wall measured from the top of the
11 foundation where it is located.
12 (3) Ground signs shall not exceed eight
13 feet in height. Ground signs shall be
14 located at least ten feet from any
15 street right-of-way and at least ten
16 feet away from any side or rear lot
17 line except as specified in (a) below.
18 Ground signs shall comply with the
19 traffic visibility requirements set
20 forth in section 66.0401 [See page
21 81]. All ground signs shall include
22 landscaping at the base of the sign.
23 a. In the B-3 Downtown Busi-
24 ness District ground signs
25 may be located no closer
26 than ten feet from the face of
27 the curb, if the existing build-
28 ing and/or terrain is not suit-
29 able for the setback as speci-
30 fied above.
31 b. All parcels shall be limited to
32 one ground sign, regardless
33 of the number of businesses,
34 buildings on the site or the
35 number of street frontages
36 abutting the property.
37 (4) Vending machines.
38 Only vending machines without in-
39 ternal illumination are permitted in
40 all business districts.

Sec. 66.0711 Commercial Center Signage with Permit

41 A commercial center is defined as a multi-tenant,
42 multi-building commercial and retail develop-
43 ment under common ownership or management
44 and located in the B-1 zoning district. The shop-
45 ping center may be permitted the following sign-
46 age in addition to the approved building signage
47 as specified in Section 66.0710.
48 (a) Signs used for Commercial Centers shall
49 be allowed as follows:
50 (1) Two (2) marquee ground signs
51 may be provided. Two (2) marquee
52 ground signs may be permitted
53 along the State Highway abutting
54 a commercial center.
55 (2) The marquee signs shall not ex-
56 ceed 72 square feet per side in to-
57 tal area and not exceed 12 feet in
58 height. The location shall be ap-
59 proved by the Plan Commission
60 prior to the issuance of a sign
61 permit.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0712 OFF-PREMISE SIGNAGE WITH PERMIT

SEC. 66.0720 ON-PREMISE SIGNS WITHOUT PERMIT

1 (b) Business or Tenant Signage.
2 Signage specified in Section 66.0710(g)(1)
3 and (2) may be provided for each individual
4 tenant business in a commercial center.
5 In a multi-tenant building, each business
6 shall be permitted signage up to twelve
7 (12) square feet per side. In a single tenant
8 building the business shall be permitted
9 signage up to sixteen (16) square feet per
10 side on the interior of the shopping center

11 (c) Additional On Premise Signage
12 One additional ground sign on the shopping
13 center property may be permitted
14 subject to the following restrictions:
15 (1) The maximum size of the sign shall
16 not exceed 36 square feet per side.
17 (2) The location shall be approved by
18 the Plan Commission prior to the issuance
19 of a Sign Permit. (Amended
20 Ordinance 193-050312)

21 **Sec. 66.0712 Off-Premise Signage with Permit**

22 This section shall only apply to businesses not
23 located on a State highway. Off-premise directional
24 signs shall only be allowed for entities located
25 within the Village limits. All off-premise signs
26 shall require a sign permit and shall be restricted
27 to the following uses:

28 (a) Off-premise directional signs on Highway
29 42 or 57.
30 (1) **Traffic control devices on private**
31 **or public property must be erected**
32 **and maintained to comply with the**
33 **Manual on Uniform Traffic Control**
34 **Devices adopted in this state**
35 **and if not adopted by this state**
36 **with the Manual on Uniform Traffic**
37 **Control Devices adopted by the**
38 **Federal Highway Administration.**
39 (2) Off-premise signs on either state
40 highway require a permit.
41 (3) The basis of approval shall be as
42 follows:
43 a. Plan Commission shall approve
44 of sign locations.
45 b. There shall be only one sign
46 on the highway for each entity
47 requesting such signage

48 **Sec. 66.0713 Sandwich Board Signage with** 49 **Permit**

50 Sandwich board signs are permitted subject to the
51 following conditions:

52 (a) Entities may use sandwich board signs on
53 their property in front of their properties in
54 the B-1, B-2, B-3, I-1 and P-1 districts as

55 permitted provided that the sandwich
56 board signs will not be located on any
57 sidewalk or bikeway if one is present or in
58 any public right-of-way.

59 (b) Sandwich board sign impact on total permitted
60 signage.

61 (1) A sandwich board where the messages
62 and content change on a weekly basis shall
63 not count towards the total signage allowed
64 under Section 77.0710..

65 (2) A sandwich board where the wording
66 or image is unchanging shall count towards
67 the total signage allowed under Section
68 77.0710. Any sandwich board permitted
69 under this subsection shall also comply
70 with (c)—(g) below.

71 (c) The sandwich board sign must be located
72 in front of the property, and will not cause
73 a hazard to traffic or adjoining properties.
74 These signs shall require a permit and shall
75 not exceed six (6) square feet in area on
76 one side or 12 square feet on all sides..

77 (d) The sandwich board sign must be removed
78 from its display location whenever the permit
79 holder is not open to the public. Festivals,
80 non-profits, organizations and businesses
81 under contract with the Village may use
82 sandwich board signs on Village owned
83 property or other property in any district
84 as permitted provided that the sandwich
85 board signs will not be located on any
86 sidewalk or bikeway if one is present or
87 in any public right-of-way.

88 (e) The Plan Commission shall establish a
89 Sandwich Board Design, Guide which will
90 reflect various preferred designs and colors.
91 The Guide shall be updated periodically.

92 (f) After May 1, 2011, the cost for a temporary
93 sandwich board sign permit shall be
94 \$20.00 except for existing sandwich board
95 permit holders.

96 **Sec. 66.0720 On-Premise Signs without Permit**

97 Except as prohibited in section 66.0770 of this
98 chapter, the following signs are permitted in
99 all zoning districts without a permit, subject
100 to the following regulations:

101 (a) Temporary Signs.
102 These signs are not to exceed six square
103 feet in area on one side and 12 square feet
104 in area on all sides. These signs shall be
105 located no closer than ten feet to any street

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0722 OTHER ON/OFF-PREMISE SIGNS WITH PERMIT

1 right-of-way, nor closer than ten feet to a
2 side or rear lot line. Temporary signs shall
3 be displayed for no longer than 30 days,
4 and shall be permitted no more than 6
5 times per year.

6 (a)(1) Construction Area Signage
7 Temporary signs on a property dur-
8 ing a period of construction may be
9 placed on a construction site without a
10 permit, provided that there shall be no
11 more than one such sign located on the
12 premises; no sign shall exceed 18 square
13 feet in area on one side or 36 square feet
14 on all sides; and the sign shall be re-
15 moved within 72 hours following the is-
16 suance of an occupancy permit. Tempo-
17 rary signs issued as part of a development
18 agreement shall be removed as specified
19 in that agreement.

20 (b) Bulletin boards.
21 Bulletin boards are not to exceed four
22 square feet in area on one side located on
23 the building.

24 (c) Signs Cut Into Buildings.
25 Signs and tablets when cut into any mason-
26 ry surface or when constructed of metal
27 and affixed flat against a structure will
28 count towards total allowable signage, and
29 be reviewed by the Plan Commission as an
30 Architectural Feature and approved or de-
31 nied based on total allowable signage.

32 Official signs.
33 Official signs, such as traffic control, park-
34 ing restrictions, Village welcome signs and
35 related entrance signs, and public notices
36 when approved by the Zoning Administra-
37 tor.

38 (d) Illuminated Signs.
39 (e) When fluorescent tubes are used for the in-
40 terior illumination of a sign, such illumina-
41 tion shall not exceed: two square feet.

42 (f) Lot signs.
43 On-premise signs located at the entrance
44 and exit of a driveway or street shall not
45 exceed two square feet.

46 (g) Parking signs.
47 Signs in the parking lot shall be mounted
48 no less than four feet from the ground and
49 shall not exceed 24 inches high by 30
50 inches wide.

51 (h) Flags.
52 Property owners shall be permitted up to
53 three flags of no more than 15 square feet
54 each.
55

56 (i) Signs on external walls.
57 One sign on an external wall is allowed
58 per commercially zoned unit. The maxi-
59 mum allowable size for such sign is four
60 square feet. If it is over four square feet in
61 size the sign's area shall be included in the
62 total signage calculation. All signs must be
63 mounted on the building. Erasable black-
64 boards or glass-enclosed cases are ac-
65 ceptable.

66 **Sec. 66.0721 On/Off-Premise Signs without** 67 **Permit**

68 (a) Temporary signs- Designated Events.
69 **During the 30 day period leading up to a**
70 **designated festival or event (including**
71 **the day/days of the event) by the Village**
72 **Parks Committee a property owner may**
73 **be allowed:**

- 74 (1) Only one additional sign per lot.
- 75 (2) The sign shall be set back a mini-
76 mum of 10 feet from all lot lines.
- 77 (3) The sign area shall not exceed 24
78 square feet.
- 79 (4) The sign shall not exceed six feet in
80 height.

81 (b) Temporary Signs- Other Events.
82 The temporary use of banners, balloons,
83 streamers, pennants, and other similar
84 signage in any district may be allowed
85 provided that the media will not be located
86 on any sidewalk or bikeway if one is pre-
87 sent or in any public right-of-way. The
88 signs cannot be erected more than 14 days
89 before the event and must be removed
90 within 2 days after the event. The property
91 owner must grant permission in writing for
92 the placement of the sign/media. The
93 sign/media, will not be located closer than
94 ten feet to an adjacent property; driveway,
95 and will not cause a hazard to traffic or ad-
96 joining properties. These sign/media shall
97 not require a permit and shall not exceed
98 24 square feet in area on one side or 48
99 square feet on all sides.

100 (c) Failure to Comply with Standards.
101 Any entity utilizing (a) or (b) above that
102 fails to follow the standards shall be noti-
103 fied in writing that all future seasonal, spe-
104 cial event and fund raising signage shall
105 require a regular sign permit and shall be
106 issued a fine in the amount of \$50.00 at
107 the discretion of the Village Administrator.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0722 OTHER ON/OFF-PREMISE SIGNS WITH PERMIT

SEC. 66.0750 SIGN PERMIT

1 **Sec. 66.0722 Other On/Off-Premise Signs** 2 **with Permit**

- 3 (a) Reserved.
4 (b) Changeable copy signs.
5 Changeable copy signs, fixed or moveable,
6 may be permitted If approved by the Plan
7 Commission. Price signs will be consid-
8 ered permitted additional signage.

9 **Sec. 66.0730 Residential Districts Signage** 10 **with Permit**

11 The following signs are permitted in any residen-
12 tial district and are subject to the following regula-
13 tions:

- 14 (a) Signs.
15 Signs authorized on a property are not to
16 exceed six feet in height and 24 square feet
17 in area on one side and 48 square feet in
18 area on all sides, placed at the entrance to
19 a subdivision or development. The sign
20 shall be located no closer than ten feet to
21 any street right-of-way, nor closer than ten
22 feet to any side or rear lot line.
23 (b) Temporary signs.
24 Temporary signs for the purpose of desig-
25 nating a new building or development may
26 be permitted for a limited period of time
27 provided that the sign shall not exceed 18
28 square feet in area on one side and 36
29 square feet in area on all sides and shall be
30 located not closer than ten feet from any
31 street right-of-way, nor closer than ten feet
32 to any side or rear lot line. The Developer
33 may use such signage to market the devel-
34 opment provided that the sign shall not be
35 in place for more than 60 days of the issu-
36 ance of an occupancy permit. Projects
37 covered by a development agreement may
38 specify the date for the removal of the sign.
39 (c) Other signs.
40 Signs over show windows or doors or a
41 non-conforming business establishment not
42 to exceed eight square feet in area.

43 **Sec. 66.0731 Countryside District Signage** 44 **with Permit**

45 The following on-premise signs are permitted in
46 the CS-1 district:

- 47 (a) All signs permitted in the residential dis-
48 tricts.
49 (b) On-premise signs which do not exceed 24
50 square feet in area. There shall be no more
51 than one such sign for each highway upon
52 which the property faces. If attached to the
53 building, such signs shall be no higher than

- 54 the roofline. If located on the ground, such
55 signs shall not be higher than eight feet
56 above the ground.
57 (c) Ground signs which do not exceed 24
58 square feet in area on one side or 48
59 square feet on all sides.

60 **Sec. 66.0732 Institutional and Park Districts** 61 **Signage with Permit**

62 The following signs are permitted in the Institu-
63 tional and Park districts and are subject to the fol-
64 lowing regulation:

- 65 (a) Private and public institutional when ap-
66 proved by the Plan Commission.
67 (b) Signs on publicly owned land shall meet
68 the following criteria:
69 (1) Such signs shall be securely fas-
70 tened, constructed and continuously
71 maintained in such a manner as to
72 prevent damage from the natural el-
73 ements.
74 (2) Such signs shall be located in such
75 a manner to minimize visual im-
76 pacts to areas located outside of the
77 park facilities.
78 (3) Such signs shall be permitted for the
79 sole purpose of generating funds for
80 Village authorized programs and fa-
81 cilities. In all cases, the overall aes-
82 thetics of the park and the surround-
83 ing area shall be significant consid-
84 eration in the placement and design
85 of the signs.
86 (4) An agreement between the Village
87 and the sign sponsor shall be exe-
88 cuted specifying annual fees and a
89 maintenance schedule.
90 (5) Such signs shall be permitted sub-
91 ject to Plan Commission discretion.

92 **Sec. 66.0750 Sign Permit**

93 Application for a sign permit shall be made on
94 forms provided by the Zoning Administrator and
95 shall contain or have attached thereto at least the
96 following information:

- 97 (a) Name, address and telephone number of
98 the applicant. Location of building, struc-
99 ture, or lot to which or upon which the
100 sign is to be attached or erected.
101 (b) Name of person, firm, corporation, or as-
102 sociation erecting the sign.
103 (c) In cases where more than one business oc-
104 cupies a single building, the assignment of
105 on-building sign area to the various busi-
106 nesses shall be at the discretion of the

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0751 CONSTRUCTION STANDARDS

SEC. 66.0752 COLOR AND LIGHTING

- 1 property owner. This allocation shall be
2 specified in the Sign Application.
- 3 (d) Written consent of the owner or lessee of
4 the building, structure, or land to which or
5 upon which the sign is to be affixed.
- 6 (e) A scale drawing of such sign indicating the
7 dimensions, the materials to be used, the
8 colors on the sign, the type of illumination,
9 if any, and the method of construction and
10 attachment. The drawing shall be drawn at
11 a scale no smaller than one-eighth inch
12 equals one foot and shall be prepared,
13 signed and sealed by a registered profes-
14 sional engineer when required by the Zon-
15 ing Administrator.
- 16 (f) A scale drawing indicating the location
17 and position of such sign in relation to
18 nearby buildings or structures. The drawing
19 shall be at a scale no smaller than one inch
20 equals 50 feet.
- 21 (g) Copies of any other permits required.
- 22 (h) Signs requiring state approval shall provide
23 a copy of such approval with the sign per-
24 mit application.
- 25 (i) Additional information may be required by
26 the Zoning Administrator or Plan Commis-
27 sion.
- 28 (j) Sign permit applications shall be filed with
29 the Zoning Administrator who may ap-
30 prove or deny the application, in writing,
31 within 20 working days after submittal. A
32 sign permit shall become invalid, if work
33 authorized under the permit has not been
34 completed within six months of the date of
35 issuance.
- 36 (k) At the time of the filing of the application
37 for a permit, the applicant shall furnish to
38 the Zoning Administrator the fee for the
39 permit in accordance with the current fee
40 schedule set by the Village Board.
- 41 (l) Waiver of some requirements.
42 The Zoning Administrator may waive the
43 requirements for certain plans, specifica-
44 tion, data, or drawings when the applica-
45 tion is to execute minor alterations or re-
46 pairs to a sign, provided that the proposed
47 construction, alteration, or repair is suffi-
48 ciently described in the application for the
49 permit.
- 50 (m) The sign permit fee shall be established
51 annually by the Village.

Sec. 66.0751 Construction Standards

- 53 (a) Sign Materials.
54 Signs should be constructed predominantly
55 of natural materials, such as rough cedar,
56 pine or other types of wood. Stained glass

- 57 may also be used. Manufactured materials
58 that give the appearance of natural materi-
59 als are also permitted. Signs with relief are
60 encouraged. Supporting members or brac-
61 es of all signs shall be constructed of ap-
62 proved materials.
- 63 (b) Covering Architectural Details.
64 Signs shall not cover architectural details
65 such as, but not limited to arches, sills,
66 moldings, cornices and transom windows.
67 It may be required that existing signboards
68 or sign bands be used for placement of
69 signs.
- 70 (c) Construction Standards.
71 The applicant shall be responsible for ob-
72 taining the necessary permits to comply
73 with Village and State building, electric
74 and WisDOT codes.
- 75 (d) Protection of the public.
76 The temporary occupancy of a sidewalk or
77 street or other public property during con-
78 struction, removal, repair, alteration or
79 maintenance of a sign is permitted provid-
80 ed the space occupied is roped off, fenced
81 off or otherwise isolated. The Zoning Ad-
82 ministrator shall be notified at least 24
83 hours in advance of such proposed ob-
84 struction.
- 85 (e) Sign Location Affecting Egress
86 No signs or any part thereof or sign an-
87 chors, braces, or guide rods shall be at-
88 tached, fastened, or anchored to any fire
89 escape, fire ladder, or standpipe and no
90 such sign or any part of any such sign or
91 any anchor, brace or guide rod shall be
92 erected, put up, or maintained so as to
93 hinder or prevent ingress or egress through
94 such door, doorway, or window or so as to
95 hinder or prevent the raising or placing of
96 ladders against such building by the Fire
97 Department, as necessity may require.

Sec. 66.0752 Color and Lighting

- 99 (a) Colors that are of the Neon or Fluorescent
100 families may not be used as they do not
101 promote the historic preservation of the
102 Village.
- 103 (b) Signs shall not resemble, imitate or approx-
104 imate the shape, size, form or color of traf-
105 fic signs, signals or devices. Signs may be
106 illuminated, but non-flashing.
- 107 (c) Signs in residential districts shall not be il-
108 luminated.
- 109 (d) No sign shall be illuminated except as fol-
110 lows:
111

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0753 MEASURING SIGNS

SEC. 66.0754 MAINTENANCE OF SIGNS

- 1 (1) Natural illumination or background
2 illumination from street lighting or
3 parking lot lighting.
4 (2) Shielded spotlights designed to fo-
5 cus the light only on the sign.
6 (3) The maximum permitted illumina-
7 tion on the face shall not exceed
8 five foot-candles.
9 (e) Searchlights may not be used in the Village
10 without a permit. The Plan Commission
11 may permit the temporary use of a search-
12 light for advertising purposes in business
13 districts, provided that the searchlight will
14 not be located in any public right-of-way,
15 will not be located closer than twenty feet
16 to an adjacent property, and will not cause
17 a hazard to traffic or adjoining properties.
18 Searchlight permits shall not be granted for
19 a period of more than five days in any six-
20 month period. If, however, representatives
21 of federal, state or local government agen-
22 cies wish to operate a searchlight in the
23 Village for official business, no permit will
24 be required.

25 Sec. 66.0753 Measuring Signs

- 26 (a) Area of Sign.
27 Measurement of sign area shall be calcu-
28 lated as the sum of the area within the
29 smallest regular rectangle that will encom-
30 pass all elements of the actual sign face,
31 including any writing, logos, representa-
32 tions, emblems, or any figures or similar
33 characters, together with any material
34 forming an integral part of the display or
35 forming the backing surface or background
36 on which the message or symbols are dis-
37 played.
38 (b) Wall Sign.
39 For a sign painted on or applied to a build-
40 ing or to a freestanding wall, the area shall
41 be considered to include all lettering,
42 wording, and accompanying designs or
43 symbols, together with any background of
44 a different color than the natural color, or
45 finish material of the building or architec-
46 tural wall. The architectural wall shall be
47 subject to Plan Commission approval of
48 the site and landscaping plan. The main
49 supporting sign structure (i.e., brackets,
50 posts, foundation, etc.) shall not be includ-
51 ed in the area measurement.
52 (c) Letter Signs.
53 The gross surface area of a skeleton letter
54 wall sign consisting of individual letters
55 and/or symbols shall be determined by
56 calculating the horizontal length of the

- 57 combined areas of the smallest rectangles,
58 which encompass each word, letter, figure
59 and emblem on the sign by the vertical
60 height of the outside dimensions of the
61 whole sign.
62 (d) Two-sided Sign.
63 When a sign has two or more faces, the ar-
64 ea of all faces shall be included in deter-
65 mining the area, except that where two
66 faces are placed back to back and the an-
67 gle between the faces measures 45 degrees
68 or less, the total sign area shall be comput-
69 ed by measuring the square footage of a
70 single face. When the angle between sign
71 faces measures greater than 45 degrees, the
72 total sign area shall be computed by add-
73 ing the square footage of each face.
74 (e) Sign height.
75 Maximum or minimum sign height shall be
76 measured from the ground surface adjacent
77 to the center of the bottom of the structure
78 supporting the sign to the top of the sign
79 surface being regulated.
80 (f) Length of Lineal Building Front Foot.
81 The length of the front wall of the building
82 adjacent and parallel or closely parallel to
83 any abutting street or public right-of-way. If
84 the building is located on a corner lot then
85 the side of the building used for addressing
86 purposes shall be deemed the front of the
87 building. If the front of the building is une-
88 ven then that portion of the building that is
89 adjacent and parallel to the abutting street
90 that is within 25 feet of the primary front
91 wall shall be included in the total length of
92 the lineal building front foot.

93 Sec. 66.0754 Maintenance of Signs

- 94 (a) Maintenance and repair.
95 Every sign, including, but not limited to
96 those signs for which permits are required,
97 shall be maintained in safe, presentable,
98 and good structural condition at all times,
99 including replacement of defective parts,
100 painting (except when a weathered or nat-
101 ural surface is intended), repainting, clean-
102 ing, and other acts required for the mainte-
103 nance of such sign.
104 (b) Compliance standards.
105 The Zoning Administrator shall require
106 compliance with all standards of this sec-
107 tion. If the sign is not modified to comply
108 with the standards outlined in this section,
109 the Zoning Administrator shall require its
110 removal in accordance with subsection (d)
111 of this section.
112 (c) Abandoned signs.
113

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0770 PROHIBITED SIGNS

SEC. 66.0770 PROHIBITED SIGNS

1 All signs or messages shall be removed by
2 the owner or lessee of the premises upon
3 which an on-premise sign is located when
4 the business it advertises is no longer con-
5 ducted or, for an off-premise sign, when
6 the lease payment and rental income are
7 no longer provided, unless there is evi-
8 dence that the owner or agent is marketing
9 the property for sale or lease. If the owner
10 or lessee fails to remove the sign, the Zon-
11 ing Administrator shall give the owner 30
12 days written notice to remove such sign.
13 Upon failure of the owner or lessee to
14 comply with this notice, the Village may
15 cause the sign to be removed and all costs
16 of such removal shall be collected as a
17 special assessment on the next succeeding
18 tax roll.

19 (d) Deteriorated or dilapidated signs.

20 The Zoning Administrator shall give the
21 owner or lessee of any premises on which
22 a deteriorated or dilapidated sign is locat-
23 ed, 60 days written notice to repair any de-
24 teriorated or dilapidated signs and remove
25 such condition, without enlarging or struc-
26 turally altering such signs.

27 (1) If it is determined that such deterio-
28 rated or dilapidated signs cannot be
29 repaired without structurally altering
30 or changing the sign, then the own-
31 er or lessee of such sign shall obtain
32 a permit from the Zoning Adminis-
33 trator for such changes or altera-
34 tions.

35 (2) Upon failure of the owner or lessee
36 to comply with the notice set forth
37 in subsection (c) of this section, or
38 in the event of the failure of the
39 owner or lessee to obtain a permit
40 as set forth in section 66.0750, [See
41 page 111] the Village may cause the
42 sign to be removed and all costs of
43 such removal shall be collected as a
44 special assessment on the next suc-
45 ceeding tax roll.

46 **Sec. 66.0770 Prohibited Signs**

47 The following signs are prohibited in all districts:

48 (a) Abandoned signs.
49 Any sign advertising or identifying a busi-
50 ness or organization, which is either de-
51 funct or no longer located on the premises.
52 Exceptions are granted to landmark signs,
53 which may be preserved and maintained
54 even if they no longer pertain to the pre-
55 sent use of the premises.

56 (b) Flashing, alternating, rotating or swinging
57 signs or devices, whether illuminated or
58 not, visible from the right-of-way.

59 (c) Floodlighted or reflection illuminated signs
60 of which the light source is positioned so
61 that its light sources is visible from a public
62 right-of-way by the vehicular traffic or
63 which the light source is visible from ad-
64 joining property.

65 (d) Internally illuminated signs, neon and back
66 lighted signs other than OPEN signs.

67 (e) Flashing signs, signs with an intermittent or
68 flashing light source, signs containing mov-
69 ing parts, and signs containing reflective
70 elements, which sparkle or twinkle in the
71 sunlight.

72 (f) Electronic message centers, variable mes-
73 sage signs that utilize computer generated
74 messages or some other electronic means
75 of changing copy, including displays using
76 incandescent lamps, LED's, LCD's or a
77 flipper matrix.

78 (g) Unclassified signs:

(1) That is a hazard or dangerous dis-
traction to vehicular traffic or a nui-
sance to adjoining residential prop-
erty.

(2) No sign shall resemble, imitate or
approximate the shape, size, form
or color of a traffic sign, signal or
device.

(3) No sign shall be located to interfere
with the visibility or effectiveness of
any official traffic sign or signal or
with driver vision at the access
point of any intersection.

(4) No sign shall be erected, relocated
or maintained to prevent free in-
gress or egress from any door, win-
dow or fire escape, and no sign
shall be attached to a standpipe, fire
escape or utility pole.

(5) No sign shall contain, include or be
illuminated by flashing light or by
any light directed toward a neigh-
boring residence, roads or high-
ways.

(6) No sign shall contain, include or be
composed of any conspicuous ani-
mated part.

(7) No sign shall be painted on rocks.

(h) Inflatable advertising devices or signs.

(i) Murals shall be a conditional use and shall
be reviewed and approved by the Plan
Commission for location, size and material
only without regard to artistic content and

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0780 LEGAL NON-CONFORMING SIGNS

SEC. 66.0791 COMPLIANCE

1 shall be limited to no more than 24 square 56
2 feet. 57
3 (j) Billboard signs larger than the maximum 58
4 permitted square footage per face. 59
5 (k) Signs taller than eight feet in height. 60
6 (l) A "V" sign shall be prohibited unless the 61
7 backs of both signs display no letters or 62
8 symbols and are landscaped to screen their 63
9 backsides. 64
10 (m) Reflective lights. 65
11 (n) Mobile signs unless permitted as a tempo- 66
12 rary use. 67
13 (o) No sign shall be located, erected, moved, 68
14 reconstructed, extended, enlarged, con- 69
15 verted or structurally altered in the Wet- 70
16 land W-1 district. 71
17 **Sec. 66.0780 Legal Non-conforming Signs** 72
18 (a) Notification of non-conformance. 73
19 Upon determination that a sign is non- 74
20 conforming, the sign administrator shall 75
21 use reasonable efforts to so notify, in writ- 76
22 ing, the user or owner of the property on 77
23 which the sign is located of the following: 78
24 (1) The sign's non-conformity. 79
25 (2) Whether the sign is eligible for 80
26 characterization as a legal non- 81
27 conforming sign or is unlawful. 82
28 (b) Signs eligible for characterization as legal 83
29 non-conforming. 84
30 Any sign located within the Village limits 85
31 or located in an area annexed to the Vil- 86
32 lage hereafter, which does not conform to 87
33 the provisions of this chapter, is eligible for 88
34 characterization as a legal non-conforming 89
35 sign and is permitted, providing it also 90
36 meets the following requirements: 91
37 (1) The sign was covered by a sign 92
38 permit prior to the date of adoption 93
39 of the prior zoning ordinance, this 94
40 ordinance or amendment. 95
41 (2) If no permit was required by the Vil- 96
42 lage at the time, the sign was erect- 97
43 ed, and the sign was not changed or 98
44 altered after the effective date of this 99
45 ordinance or a prior zoning ordi- 100
46 nance in a manner that under this 101
47 chapter would have caused a loss of 102
48 non-conforming status. 103
49 (3) An existing sign located closer than 104
50 ten feet to the street right-of-way in 105
51 the B-3 district shall not be deemed 106
52 non-conforming solely on that basis. 107
53 (c) Loss of legal non-conforming status. 108
54 A sign loses its legal non-conforming status 109
55 when any one of the following occurs: 110
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(1) The sign is structurally altered in 56
any way, except for normal mainte- 57
nance or repair, which tends to or 58
makes the sign less in compliance 59
with the requirements of this section 60
then it was before alteration. 61
(2) The sign is damaged to such an ex- 62
tent that the cost to repair or recon- 63
struct such sign exceeds 50 percent 64
of the assessed value of the sign. 65
(3) The design, logo or wording of the 66
sign is altered. 67
(4) The replacement of a non- 68
conforming sign with an identical 69
sign may be allowed, subject to ob- 70
taining a permit. The new sign must 71
utilize permitted materials. 72
(d) Legal non-conforming sign maintenance 73
and repair. 74
Nothing in this section shall relieve the 75
owner or user of a legal non-conforming 76
sign, or the owner of the property in which 77
the sign is located, from the provisions of 78
this section regarding safety, maintenance 79
and repair of the sign. All work, including 80
repainting, requires a permit. 81

Sec. 66.0790 Historic Signs

(a) Signs of historic significance which make a 82
contribution to the cultural, or historic 83
quality of the Village because of their 84
unique construction materials or unique 85
design, unusual age, prominent location 86
within the Village, or unique craftsmanship 87
from another period of time may be ex- 88
empted from any or all size, height, anima- 89
tion, lighting, or setback requirements of 90
the section, when the Plan Commission 91
finds the following conditions exist: 92
(1) The sign is of exemplary technolo- 93
gy, craftsmanship, or design of the 94
period in which it was constructed; 95
uses historic sign materials (wood, 96
metal, or paint applied directly to a 97
building) and means of illumination 98
(neon or incandescent fixtures); and 99
is not significantly altered from its 100
historic period. If the sign has been 101
altered, it must be restored to its his- 102
toric function and appearance. 103
(2) The sign is integrated into the archi- 104
tecture of a period building. 105
(3) A sign not meeting the criteria listed 106
above may be considered if it 107
demonstrates extraordinary aesthet- 108
ic quality, creativity or innovation in 109
design. 110
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VILLAGE OF SISTER BAY ZONING CODE

1 (b) Historic signs are exempt from the re-
2 quirements of section 66.0780 "Legal Non-
3 conforming Signs." [See page 115]

4 **Sec. 66.0791 Compliance**

5 Except as otherwise authorized, no sign visible
6 from a state or county road, from any Village
7 street, from a private street, from a public parking
8 lot, from a private parking lot, from the water or
9 from any adjacent property shall be located,
10 erected, moved, repainted with different colors,
11 reconstructed, extended, enlarged or structurally
12 altered, including the placement of various com-
13 ponents of the sign, until a permit has been re-
14 viewed and approved by the Plan Commission or
15 designated representative and a permit has been
16 issued to the property owner or building occupant
17 by the Zoning Administrator. Signs located on a
18 property or location with multiple buildings or
19 businesses under common or separate ownership
20 shall not be exempt from the requirements of this
21 Code. Additions to and alterations of existing
22 signs and support structures require a new permit.

23 Note: This entire section was revised by Ordi-
24 nance 185-041211.

25

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0791 COMPLIANCE

SEC. 66.0791 COMPLIANCE

1

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0801 COMPLIANCE

SEC. 66.0806 RADIOACTIVITY AND ELECTRICAL DISTURBANCES

SECTION 800 - PERFORMANCE STANDARDS

1 **Sec. 66.0801 Compliance**

2 This chapter permits specific uses in specific districts; and these performance standards are designed to limit, restrict and prohibit the effects of those uses outside their premises or district. All structures, land, air and waters shall, hereafter, in addition to their use and site regulations, comply with the following performance standards.

9 **Sec. 66.0802 Air Pollution**

10 No person or activity shall emit any fly ash, dust, particulate matter, fumes, vapors, mists or gases in such quantities that would constitute a nuisance to surrounding property owners. Dust and other types of pollution borne by the wind from such sources as storage areas, yards and roads within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, fencing or other acceptable means. The release of materials intrinsically odorous or capable of being odorous, by either bacterial decomposition or chemical reaction, which renders it perceptible from beyond the lot, shall be prohibited.

23 **Sec. 66.0803 Fire and Explosive Hazards**

- 24 (a) All activities involving the utilization, processing, or storage of flammable or explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry and approved by the Sister Bay Liberty Grove Fire Chief or designee.
- 33 (b) All materials that range from active to intense burning shall be utilized, processed or stored only within completely enclosed buildings, which have incombustible exterior walls and an automatic fire extinguishing systems as required by Section §14.61. Storage of flammable and explosive material, except as prohibited by subsection (c), shall be in accordance with the requirement of chapter COMM. 10 of the Wisconsin Administrative Code and the requirements of chapter NFPA 30 of the National Fire Protection Association.
- 46 (c) Notwithstanding the requirements of subsection (b) the storage or sale of fireworks as regulated by Wisconsin State Statutes Section §167.10 shall not be permitted in

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the B-1, B-2 or B-3 zoning districts except as listed below:

- (d) An agent of the Village of Sister Bay with the appropriate Village issued permit for a fireworks display done in conjunction with a Village festival or Village event may store fireworks for not more than 96 hours consistent with the storage requirements in §167.10.

59 **Sec. 66.0804 Heat**

60 No activity shall emit heat that is measurable outside its premises except activities, which may emit direct or sky reflected heat, which shall not be felt outside their district. All operations producing intense heat shall be conducted within a completely enclosed building.

66 **Sec. 66.0805 Water Quality Protection**

- 67 (a) No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might run off, seep, percolate, or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.
- 80 (b) In addition, no activity shall withdraw water or discharge any liquid or solid materials to exceed, or contribute toward the exceeding of, the minimum standards set forth in chapter NR 102 of the Wisconsin Administrative Code. No use shall discharge across the boundaries of the subject property, or through percolation into the subsoil, toxic or noxious material in such concentration as to be detrimental to, or endanger, the public health, safety, comfort, welfare or cause injury or damage to any property or business. No use shall discharge at any point into any public or private sewage disposal system or stream, or into the ground, any liquid or solid material except in accordance with the regulations of the state department of natural resources.

99 **Sec. 66.0806 Radioactivity and Electrical Disturbances**

100 No activity shall emit radioactivity or electrical disturbances outside its premises that affect the use of neighboring premises.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0807 VIBRATION

SEC. 66.0809 OUTDOOR LIGHTING

1 **Sec. 66.0807 Vibration**

2 No activity in any district shall emit vibrations,
3 which are discernible by the Zoning Administrator
4 without instruments outside its premises. Any
5 construction or utility installation activity that re-
6 quires blasting of rock shall require a notification
7 plan for neighboring properties and the issuance
8 of a permit by the Zoning Administrator.

9 **Sec. 66.0808 Noise**

10 Any activity or operation of any use producing
11 noise, other than ordinary vehicular noise, shall
12 be conducted so that no noise from the activity or
13 operation shall exceed the following limits at the
14 lot line on which the noise is emanating for a du-
15 ration of thirty (30) seconds or longer: All districts
16 except (P-1), variable noises at or above 85 deci-
17 bels.

18 **Sec. 66.0809 Outdoor Lighting**

19 (a) Purpose. Purpose and intent:

20 This section regulates all outdoor lighting
21 installed on residential, business and insti-
22 tutional sites, both publicly and privately
23 owned within the Village, with the excep-
24 tion of outdoor lighting on public streets,
25 public bikeways and public walkways. The
26 purpose of this section is to create stand-
27 ards for outdoor lighting that do not inter-
28 fere with the reasonable use of residential,
29 business and institutional sites, that prevent
30 light trespass and conserve energy yet
31 maintain night time safety. If outdoor light-
32 ing is installed, it shall be in conformance
33 with the provisions of this section of the
34 Municipal Code, the building code and all
35 other codes and regulations as applicable
36 and under appropriate permit and inspec-
37 tion.

38 (b) General requirements:

39 (1) All outdoor lighting fixtures installed
40 November 13, 2004 and thereafter
41 maintained upon private or public
42 residential, business, and institu-
43 tional property shall comply with
44 the following:

45 a. The maximum allowable
46 light trespass shall be 0.5
47 horizontal foot-candles four
48 feet above ground. The point
49 of measurement of this of-
50 fending light shall be at the
51 property line for residential,
52 commercial, institutional or
53 public use. The measurement
54 shall not include any ambi-
55 ent natural light.

b. Light sources shall be shield-
ed or installed so that there is
not a direct line of sight be-
tween the light source and its
reflection and at a point five
feet or higher above the
ground of adjacent property
and public streets. The light
source shall not be of such
intensity to cause discomfort
or annoyance.

c. Any outdoor lighting fixture
installed on a parking lot
shall use metal halide lamps.

d. The lighting system shall be
extinguished or reduced to
fifty percent no later than
thirty minutes after the close
of business for the day. The
fifty percent reduction shall
be applied to the entire lot or
structure.

e. All lamp types utilized for
search lighting shall not be
allowed. Outdoor lighting
fixtures used to illuminate
sports fields and tennis courts
shall be reduced by 50%
past 10:00 PM.

f. Flashing, flickering, and oth-
er distracting lighting, which
may distract motorists is pro-
hibited.

g. Light fixtures shall not be
permitted within required
buffer yards.

(2) All outdoor fixtures installed prior to
November 13, 2004 shall be ex-
empt from this section except as fol-
lows:

a. If any modifications, con-
struction or changes to an
existing outdoor lighting fix-
ture system is proposed to af-
fect fifty percent or more of
the total number of fixtures,
then all fixtures shall comply
with the provisions of this
section.

b. All outdoor lighting fixtures
installed on R-2 residential
projects or sites shall con-
form to subsection (c)(3)
herein.

(3) All outdoor lighting fixtures shall be
maintained according to materials

VILLAGE OF SISTER BAY ZONING CODE

initially submitted to the Plan Commission.

(4) Trees and shrubbery shall not be located where they significantly reduce or block parking lot or roadway lighting.

(5) Outdoor lighting fixtures may be used to illuminate buildings and structures; recreational areas, sports fields and tennis courts, parking lots, parking structures, garages, landscape areas, product display areas, building overheads and open canopies. Outdoor lighting fixtures may be installed to provide building and parking lot security.

(c) Specific design requirements

(1) A lighting system for parking facilities and outdoor merchandising areas in commercial, institutional, agricultural, and recreational areas shall be designed to provide the lighting intensities and uniformities described as follows:

- a. Open Parking Facilities. The illumination requirements of an open parking facility depend on the amount of usage the facility receives. Three levels of activity shall be established as High, Medium and Low, reflecting both traffic and pedestrian activity. The following examples are nonexclusive and include:
 - b. High Activity Facilities: for athletic events or major cultural or civic events.
 - c. Medium Activity: shopping centers, retail parking areas, hospital and clinic parking, cultural civic or recreational events and fast food facilities.
 - d. Low Activity: employee parking, educational facility, office buildings and church parking.

49 Horizontal Illumination for Parking Facilities

50 Open Parking Facilities

| Level of Activity | General Parking & Pedestrian Area | | | Vehicle Use Area (Driveway) | | | |
|-------------------|---------------------------------------|---------------------------------|--------------------------------------|-------------------------------------|--------------------------------|------------------------------------|--------------------------------------|
| | Minimum Foot-candle* (FC) on pavement | Maximum Average F-C on pavement | Maximum Uniformity Ratio* (Ave.-Min) | Maximum Watts/Sq. Foot Light Load** | Min. Foot-candles* on pavement | Max. Ave. Foot-candles on pavement | Maximum Uniformity Ratio* (Ave.-Min) |
| High | 0.6fc | 3.75fc | 5:1 | 0.12 | .67fc | 2.5fc | 5:1 |
| Med | 0.4fc | 2.5fc | 5:1 | 0.1 | .33fc | 1.5fc | 5:1 |
| Low | 0.2fc | 1.5fc | 5:1 | 0.08 | .125fc | 1.0fc | 5:1 |

51 Covered Parking Facilities

| Areas | Minimum Foot-candles Average on Pavement | Minimum Foot-candles on Pavement | Maximum Average Foot-candles on Pavement | Maximum Uniformity Ratio (Ave.-Min.) | Maximum Watts/Sq. Ft. Lighting Load |
|-------------------------------------|--|----------------------------------|--|--------------------------------------|-------------------------------------|
| General Parking and Pedestrian Area | 5fc | 1.25fc | 9fc | 4:1 | 0.2 |
| Private Controlled Entry Parking | 3fc | .75fc | 6fc | 4:1 | 0.2 |

52 *Not mandatory within four feet of the pavement edge

54 **Not mandatory for driveways

55 Watts shall mean lamp wattage and ballast consumption

- 57 (2) An outdoor lighting system for illuminating buildings and structures shall have a maximum connected lighting load of five watts per lineal foot. Watts shall mean lamp wattage and ballast consumption.
- 60 (3) An R-2 residential site shall be lighted to provide at least .25 foot-candle on any surface in the lot with an average illumination level of at least .75 foot-candles.
- 63 (4) Outdoor light fixtures shall be designed and installed to minimize light trespass. The uniformity ratio between the average illumination and minimum illumination shall be no greater than 4:1.
- 66 (5) For an outdoor merchandising area, the maximum level in 75% of the lot shall not exceed 20 foot-candles. A contiguous area not to exceed 25% of the lot may be illuminated

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0809 OUTDOOR LIGHTING

SEC. 66.0809 OUTDOOR LIGHTING

- 1 to a level, which shall not exceed
2 40 foot-candles.
- 3 (6) The maximum illumination level
4 under an outdoor canopy shall not
5 exceed 20 foot-candles at any point.
- 6 (7) Lighting systems that project light
7 upwards such as architectural and
8 sign lighting shall be designed to
9 minimize the amount of light that
10 does not illuminate the target area.

11 (d) Approval procedures.

12 Any person desiring to install outdoor light-
13 ing fixtures shall submit to the Zoning Ad-
14 ministrator and Village Engineer for review
15 the following material:

- 16 (1) A catalog page, cut sheet or photo-
17 graph of the lighting fixtures, includ-
18 ing the mounting method.
- 19 (2) A photometric data test report of the
20 proposed lighting fixture graphically
21 showing the lighting distribution in
22 all angles vertically and horizontally
23 around the fixture.
- 24 (3) A plot plan showing the location of
25 all outdoor lighting fixtures pro-
26 posed, the mounting or installation
27 height, the overall illumination lev-
28 els and uniformities and the point
29 where 0.5 horizontal foot-candles
30 occurs on the property or adjacent
31 property at a distance four feet
32 above the ground. This may be ac-
33 complished by means of an isolux
34 curve or computer printout project-
35 ing the illumination levels.
- 36 (4) A graphic depiction of the lighting
37 fixture's lamp concealment and
38 light cutoff angles.
- 39 (5) Upon review of the material de-
40 scribed above, the Zoning Adminis-
41 trator and Village Engineer may au-
42 thorize the installation of outdoor
43 lighting fixtures.

44 (e) Supplemental Information

45 The following table provides a reference
46 point for visualizing low-level foot-candles.
47 A 4-watt night lamp was used to determine
48 the listed values. The used light meter's
49 lowest measurable reading is 0.1 fc (with
50 +/- 5% accuracy). Readings were taken 8-
51 inches below the 4-watt lamp.

52

| Reading Location | Foot-Candle (Fc) |
|------------------|-------------------|
| At Lamp | 1.5 fc |
| 1-Foot | 0.9 fc |
| 2-Foot | 0.2 fc |
| 3-Foot | > 0.1 fc < 0.2 fc |
| 46-inch | 0.1 fc |
| > 46-inch | >0.0 fc < 0.1 fc |

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0809 OUTDOOR LIGHTING

SEC. 66.0809 OUTDOOR LIGHTING

1

VILLAGE OF SISTER BAY ZONING CODE

SECTION 900 - NON-CONFORMING USES, STRUCTURES AND LOTS

1 Note: This entire section was revised by Ordinance 171-071310.

3 **Sec. 66.0900 Non-Conforming Use Definitions**

5 The following definitions and categories shall apply to non-conforming uses and structures.

7 (a) Detrimental non-conformities are those that have a negative impact on the health and safety of the public. Detrimental non-conformities have the potential for harm.

11 (b) Benign non-conformities are those that do not have a negative impact on the health and safety of the public, but may have a negative impact on public welfare.

15 (c) Health and Safety of the Public is the protection from injury, illness, danger and other harm.

18 (d) Public welfare is the protection from nuisances, economic interest, convenience, community character and the vision expressed in the Village's Smart Growth Plan.

22 (e) Detrimental Non-conforming Uses.
23 Detrimental non-conforming uses are those non-conforming uses, which are not compatible with permitted uses in the zoning district and which, if permitted to continue or expand, would have a detrimental effect on those uses permitted in the zone. Detrimental non-conforming uses shall include the following:

31 (1) Commercial and industrial uses in residential and institutional zones.

33 (2) Industrial uses in commercial zones.

34 (3) In commercial zones, residential uses not specifically permitted in the zone

37 (f) Benign Non-conforming Uses:
38 Benign non-conforming uses are those uses other than detrimental non-conforming uses, which are generally not detrimental in the zone where they are located and include the following:

43 (1) In residential zones those non-conforming residential uses, which do not conform to the population density standards for the zone in which, they are located.

48 (2) In commercial zones those non-conforming uses, which are of the

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51
52
53
54

same general type as those uses permitted in the zone and are determined by the Plan Commission to be not incompatible with permitted uses.

55 **Sec. 66.0901 Existing Non-Conforming Uses**

56 The lawful non-conforming use of land, or water; or a lawful non-conforming use on a conforming or non-conforming lot which existed at the time of the adoption or amendment of this chapter may be continued although the use does not conform with the provisions of this chapter; however,

62 (a) Expansion prohibited.

63 Only that portion of the land or water in actual use may be so continued and the use may not be extended, enlarged, substituted or moved; except when required to do so by law or order or so as to comply with the provisions of this chapter. The expansion of parking or loading space to conform to the code is permitted.

71 (b) Discontinuance.

72 If such non-conforming use is discontinued or terminated for a period of 12 consecutive months, any future use of the land or water shall conform to the provisions of this chapter. When a portion of a non-conforming use ceases on a portion of the land or water that portion of the non-conforming use shall be terminated.

80 (c) Burden of proof.

81 The owners of property claiming to have a legal non-conforming use or a lawful conditional use, have the burden to prove that such use is in fact a non-conforming use or lawful conditional use in accordance with section 66.0922 [See page 125] of this chapter.

88 (d) Changes and substitutions.

89 (1) A non-conforming use of land may be changed to a less intense non-conforming use with the approval of a conditional use permit by the Plan Commission when it can be demonstrated that the new use is in fact less detrimental to the other uses in the area.

97 (2) Once a non-conforming use has been changed to conform, it shall not revert to a non-conforming use.

100 (3) Once the Plan Commission has permitted the substitution of a less restrictive non-conforming use for an existing non-conforming use, the

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0902 CONFORMING STRUCTURES ON NON-CONFORMING LOTS

SEC. 66.0911 NON-CONFORMING STRUCTURES

1 substituted use shall lose its status as
2 a legal non-conforming use and be-
3 come subject to all the conditions
4 required by the Plan Commission.

5 **Sec. 66.0902 Conforming Structures on Non-** 6 **Conforming Lots**

- 7 (a) Continued use allowed.
8 The use of a conforming structure existing
9 at the time of the adoption or amendment
10 of this chapter may be continued although
11 the lot area or lot width does not conform
12 to the requirements of this chapter.
- 13 (b) Additions and enlargements.
14 Additions and enlargements to the con-
15 forming structures are permitted and shall
16 conform to the established building set-
17 back, height, parking, loading and access
18 provisions of this chapter.
- 19 (c) Existing structures on non-conforming lots.
20 Existing conforming structures on non-
21 conforming lots, which are damaged or de-
22 stroyed by fire, explosion, flood, or other
23 calamity, may be reconstructed and shall
24 conform to the established building set-
25 back, height, parking, loading, and access
26 provisions of this chapter.

27 **Sec. 66.0910 Non-Conforming Structure Def-** 28 **initions**

29 The following definitions and categories shall ap-
30 ply to non-conforming structures.

- 31 (a) Detrimental non-conformities are those
32 that have a negative impact on the health
33 and safety of the public. Detrimental non-
34 conformities have the potential for harm.
- 35 (b) Benign non-conformities are those that do
36 not have a negative impact on the health
37 and safety of the public, but may have a
38 negative impact on public welfare.
- 39 (c) Health and Safety of the Public is the pro-
40 tection from injury, illness, danger and
41 other harm.
- 42 (d) Public welfare is the protection from nui-
43 sances, economic interest, convenience,
44 community character and the vision ex-
45 pressed in the Village's Smart Growth Plan.
- 46 (e) Detrimental Non-conforming Structures.
47 Detrimental non-conforming structures are
48 those designed for detrimental uses not
49 permitted in the zone and cannot be rea-
50 sonably structurally altered to house a con-
51 forming use. Such structures include the
52 following:

- 53 (1) In residential and institutional
54 zones, commercial and industrial
55 buildings.
56 (2) In commercial zones, industrial
57 buildings.
58 (3) In commercial zones, residential
59 buildings not specifically permitted
60 in the zone
- 61 (f) Benign Non-conforming Structures:
62 Benign non-conforming structures are
63 those structures other than detrimental
64 non-conforming structures, which are gen-
65 erally not detrimental in the zone where
66 they are located and include the following:
67 (1) In residential zones, buildings non-
68 conforming by reason of being de-
69 signed for residential uses which are
70 not permitted in the zone in which
71 they are located.
72 (2) Any building other than a detri-
73 mental non-conforming building,
74 which does not conform to the
75 height, yard, setback, parking load-
76 ing, open space requirements of the
77 zone where it is located.

78 **Sec. 66.0911 Non-Conforming Structures**

79 The use of a structure existing at the time of the
80 adoption or amendment of this chapter may be
81 continued although the structure's size or location
82 does not conform to the established building set-
83 back, height, parking, loading and/or access pro-
84 visions of this chapter.

- 85 (a) Discontinuance.
86 If such use of a non-conforming structure is
87 discontinued or terminated for a period of
88 12 consecutive months, any future use of
89 the structure shall conform to the provi-
90 sions of this chapter. When the use of a
91 portion of a non-conforming structure
92 ceases that portion of the non-conforming
93 use shall be terminated.
- 94 (b) Burden of proof.
95 The owners of property claiming to have a
96 legal non-conforming structure or a lawful
97 conditional use, have the burden to prove
98 that such use is in fact a non-conforming
99 structure or lawful conditional use in ac-
100 cordance with section 66.0922 [See page
101 125] of this chapter.
- 102 (c) Additions and enlargements to existing detri-
103 mental non-conforming structures.
104 Detrimental non-conforming structures
105 shall not be moved, enlarged, remodeled
106 or modified except for the purpose of mak-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0920 EXISTING NON-CONFORMING LOTS

SEC. 66.0922 INTERPRETATION AND PROOF OF USES

1 ing them suitable for a conforming use. A
2 detrimental non-conforming structure may
3 be modified to permit a less intense non-
4 conforming use with the approval of a
5 conditional use permit by the Plan Com-
6 mission when it can be demonstrated that
7 the new use is in fact less detrimental to
8 the other uses in the area.

9 (d) Additions and enlargements to existing be-
10 nign non-conforming structures.

11 Benign non-conforming structures shall not
12 be moved, enlarged or modified unless the
13 structure(s) including the additions and en-
14 largements is made to conform in every re-
15 spect to the requirements of the zone
16 where the structure is located. However,
17 the Plan Commission may approve condi-
18 tional use permits for the expansion or re-
19 development of properties, which have
20 been previously developed and do not
21 conform to the requirements in this Code,
22 provided that the expansion or redevelop-
23 ment is designed for a permitted use. The
24 conditional use permits may permit devia-
25 tion from the regulations, including parking
26 requirements, when it can be found that:

- 27 (1) Strict conformance to the Zoning
28 Code requirements would preclude
29 viable expansion or redevelopment
30 of the site.
- 31 (2) Strict conformance to the Zoning
32 Code would result in disorderly or
33 illogical transitions between existing
34 and expanded areas of the site.
- 35 (3) Deviation from the Zoning Code
36 regulations would not jeopardize
37 the public health, safety and welfare
38 and would produce a quality built
39 environment.
- 40 (4) De-minimis deviations from a di-
41 mensional requirement or standard
42 would not have a negative impact
43 on neighborhood character.

44 (e) Damage to existing non-conforming struc-
45 tures.

46 Existing benign non-conforming structures
47 which are damaged by fire, explosion,
48 flood, or other calamity may be recon-
49 structed and insofar as is practicable shall
50 conform with the established building set-
51 back lines along streets and the yard,
52 height, parking, loading, and access provi-
53 sions of this chapter. Existing detrimental
54 non-conforming structures which are dam-
55 aged by fire, explosion, flood, or other ca-
56 lamity to the extent that such damage is

57 more than 50 percent of the current equal-
58 ized assessed value of the structure shall
59 not be reconstructed. (*Amended Ord-*
60 *inance 206-100912*)

61 (f) Remodeling existing non-conforming struc-
62 tures.

63 Existing benign non-conforming structures,
64 which are remodeled or reconstructed
65 shall conform to the established building
66 setbacks, height, parking, loading, and ac-
67 cess provisions of this chapter. (*Amended*
68 *Ordinance 206-100912*)

69 **Sec. 66.0920 Existing Non-Conforming Lots**

70 A lot which is located in the B-1 business and R-
71 1, R-2 and R-3 residential zoning districts which
72 does not contain sufficient area to conform to the
73 dimensional requirements of this chapter, but
74 which is at least 65 feet in width at the building
75 line and 65 feet in width at the ordinary high-
76 water mark or rear lot line, and which is 10,000
77 square feet in area, may be used as a building site
78 providing that the use is permitted in the zoning
79 district, providing the lot is on record in the coun-
80 ty register of deeds office prior to November 16,
81 1973, and providing the lot is in separate owner-
82 ship from abutting lands.

83 **Sec. 66.0921 Wetland Non-Conforming Uses**

84 Notwithstanding section 62.23(7)(h) of the Wis-
85 consin Statutes, the repair, reconstruction, reno-
86 vating, remodeling, or expansion of a legal non-
87 conforming structure, or any environmental con-
88 trol facility related to a legal non-conforming
89 structure, located in the W-1 district and in exist-
90 ence at the time of adoption or subsequent
91 amendment of this chapter, or of an environmen-
92 tal control facility in existence on November 13,
93 2004, related to that structure is permitted pursu-
94 ant to section 62.231(5) of the Wisconsin Statutes
95 section 62.23(7)(h), however, applies to any envi-
96 ronmental control facility that was not in exist-
97 ence on November 13, 2004, but was in exist-
98 ence on the effective date of this chapter or
99 amendment.

100 **Sec. 66.0922 Interpretation and Proof of Uses**

101 The owners of property who want to alter their
102 use that they claim is either a legal non-
103 conforming use or a lawful conditional use should
104 apply for the alteration of the use, or the building
105 in which it is located, with the Zoning Administra-
106 tor. The Zoning Administrator, after a review of
107 Village records, may require documentation of the
108 applicant to prove his/her claim. Based upon a re-
109 view of the submitted documentation, the Zoning
110 Administrator may approve or deny the appli-

VILLAGE OF SISTER BAY ZONING CODE

1 cant's claim. If denied, the applicant may seek an
2 interpretation of the matter from the Plan Com-
3 mission.

4 Note: This entire section was revised by Ordi-
5 nance 171-071310.

6

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.0922 INTERPRETATION AND PROOF OF USES

SEC. 66.0922 INTERPRETATION AND PROOF OF USES

1

VILLAGE OF SISTER BAY ZONING CODE

SECTION 1000 – OTHER PERMITS AND REGULATIONS

1 Sec. 66.1000 Tree Cutting Regulations

2 (a) Tree cutting regulations: 57
3 Outside of the area delineated as the Bluff 58
4 Overlay district, the purpose of tree cutting 59
5 regulations applicable to the shorelands 60
6 area are to protect scenic beauty, control 61
7 erosion and reduce effluent and nutrient 62
8 flow from the shore land. 63
9 (1) Tree cutting. Tree cutting in a strip 64
10 paralleling the shoreline and extending 65
11 350 feet inland from all 66
12 points along the normal high-water 67
13 mark of the shoreline shall be limited 68
14 in accordance with the following: 69
15
16 a. No more than 30 percent of 70
17 the length of this strip (as 71
18 measured along the ordinary 72
19 high-water mark) shall be 73
20 clear-cut to the depth of the 74
21 strip. 75
22 b. Provided, further, that cutting 76
23 of this 30 percent shall not 77
24 create a clear-cut opening in 78
25 this strip greater than 30 feet 79
26 wide for every 100 feet of 80
27 shoreline measured along the 81
28 ordinary high-water mark. 82
29 c. In the remaining 70 percent 83
30 length of this strip (distance 84
31 measured along the ordinary 85
32 high-water mark), cutting 86
33 shall leave sufficient cover to 87
34 screen cars, dwellings, ac- 88
35 cessory structures, except 89
36 boathouses, as seen from the 90
37 water and to control erosion. 91
38 (2) Special cutting plan. A special cut- 92
39 ting plan allowing greater cutting 93
40 may be permitted by the Plan 94
41 Commission by issuance of a condi- 95
42 tional use permit. In applying for 96
43 such a permit, the commission may 97
44 require the lot owner to submit a 98
45 drawing of his/her lot including the 99
46 following information: location of 100
47 all structures, location of parking, 101
48 and gradient of the land, existing 102
49 vegetation, proposed cutting and 103
50 proposed replanting. The commis- 104
51 sion may grant such a permit only if 105
106
107

it finds that such special cutting plans:
a. Will not cause undue erosion or destruction of scenic beauty.
b. Will provide substantial shielding from the water of dwellings, accessory structures and parking area. The commission may condition such a permit upon a guarantee of tree planting by the lot owner. Such an agreement shall be enforceable in court.
c. Is consistent with accepted forest management practices.
(3) Tree topping. Tree topping which is defined as tree cutting or sculpturing where only a portion of the tree is removed to improve the view is prohibited within the shoreland area of the Village.
(b) Tree cutting regulations beyond the shore land area.
(1) Purpose. The purpose of these regulations is to provide for the protection and preservation of the trees and woodlands of the Village beyond the shoreland area. The Village recognizes in the Village Comprehensive Plan that woodlands, wetlands and open space areas serve as wildlife habitat, flood storage areas and provide natural settings for the Village and that they should be protected. In addition, woodlands are an integral and important part of the Village's attractiveness as a residential, recreational and resort community and as such provide an important economic asset to the Village.
(2) Applicability. These tree-cutting regulations shall apply to that area of the Village in all zoning districts outside of the shore land area and Bluff Overlay district. These regulations shall apply to trees or similar woody vegetation having at least one well-defined stem at least three inches in diameter measured at a height of 4 1/2 feet above the ground. These regulations shall not apply to the removal of dead, diseased or dying trees when removed using accepted forest management

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1015 LAND DISTURBANCE REGULATIONS.

SEC. 66.1015 LAND DISTURBANCE REGULATIONS.

1 practices and sound soil conserva- 57
2 tion practices or the management of 58
3 an orchard. 59
4 (3) Tree cutting provisions. Trees or 60
5 similar woody vegetation shall only 61
6 be removed if one or more of the 62
7 following conditions are present: 63
8 a. Necessity to remove trees, 64
9 which pose a safety hazard 65
10 to pedestrian or vehicular 66
11 traffic or threaten to cause 67
12 disruption of public services. 68
13 b. Necessity to remove trees 69
14 which pose a safety hazard 70
15 to buildings. 71
16 c. Necessity to remove diseased 72
17 trees or trees weakened by 73
18 age, storm, fire or other inju- 74
19 ry. 75
20 d. Necessity to observe good 76
21 forestry practices, i.e., the 77
22 number of healthy trees that 78
23 a given parcel of land will 79
24 support. 80
25 e. Necessity to remove trees in 81
26 order to construct permitted 82
27 structures and because of the 83
28 need for: access around the 84
29 proposed structure for con- 85
30 struction equipment; access 86
31 to the building site for con- 87
32 struction equipment; essen- 88
33 tial grade changes, surface 89
34 water drainage and utility in- 90
35 stallations. Only those areas 91
36 approved for the placement 92
37 of a physical improvement 93
38 may be cleared of trees. 94
39 f. Necessity for compliance 95
40 with other ordinances. 96
41 g. Necessity to provide access 97
42 to sunlight for solar collec- 98
43 tors. 99
44 (4) Cutting plan. As an alternative to 100
45 subsection (b) of this section, a spe- 101
46 cial cutting plan allowing greater 102
47 cutting may be permitted by the 103
48 Plan Commission by issuance of a 104
49 conditional use permit. In applying 105
50 for such a permit, the commission 106
51 shall require the lot owner to submit 107
52 a drawing of his/her lot, including 108
53 the following information: location 109
54 of parking, location of improve- 110
55 ments, gradient of the land, existing 111
56 vegetation, proposed cutting and 112

57 proposed replanting. The commis-
58 sion may grant such a permit only if
59 it finds that such special cutting
60 plans:
61 (5) Will not cause undue erosion or de-
62 struction of scenic beauty; and
63 (6) Shall be accomplished using ac-
64 cepted forest management practices
65 and sound soil conservation prac-
66 tices.
67 (c) Compliance with land use disturbance
68 provisions.
69 Tree cutting shall comply with section
70 66.1015 of this section, land disturbance
71 use or activity.

Sec. 66.1015 Land Disturbance Regulations.

(a) General design principles.
Control measures shall apply to all aspects
of the proposed land disturbance use or ac-
tivity and shall be in operation during all
stages of the disturbance activity. The fol-
lowing principles shall apply to soil ero-
sion and sediment control:
(1) Stripping of vegetation, grading or
other soil disturbance shall be done
in a manner, which will minimize
soil erosion.
(2) No site shall be cleared of top soil,
trees and other natural features be-
fore the zoning and building permits
are issued. Whenever feasible, natu-
ral vegetation shall be retained and
protected. Only those areas ap-
proved for the placement of physi-
cal improvements may be cleared.
The extent of the disturbed area and
the duration of its exposure shall be
kept within practical limits.
(3) Temporary seeding, mulching or
other suitable stabilization measures
shall be used to protect exposed
critical areas during construction or
other land disturbance.
(4) Drainage provisions shall accom-
modate increased runoff resulting
from modified soil and surface con-
ditions during and after develop-
ment or disturbance. Water from the
land disturbing activity shall not
create a hazard by exceeding the
safe capacity of the receiving water
body in the area; shall not cause
undue channel erosion or an undue
increase in water pollution by in-
creased scour and transport of parti-
cles; shall not otherwise endanger

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1020 PIER PERMITS

SEC. 66.1020 PIER PERMITS

1 the downstream property owners or 57
2 their property; and shall not cause 58
3 property damage, nuisance or ero- 59
4 sion on adjacent properties. Safe 60
5 capacity is defined as the rate of 61
6 flow that can be handled without 62
7 flooding. Such provisions shall be in 63
8 addition to all existing require- 64
9 ments. The Village Engineer shall 65
10 review and approve all storm water 66
11 and drainage plans for the project. 67
12 (5) Water runoff shall be minimized 68
13 and retained on the site whenever 69
14 possible to facilitate groundwater 70
15 recharge. 71
16 (6) Sediment shall be retained on the 72
17 site. 73
18 (7) Diversions, sediment basins and 74
19 similar required structures shall be 75
20 installed prior to any on-site grading 76
21 or disturbance. 77
22 (b) Maintenance. 78
23 All necessary soil erosion and sediment 79
24 control measures installed under this chap- 80
25 ter shall be adequately maintained until 81
26 such measures are permanently stabilized, 82
27 as determined by the Zoning Administra- 83
28 tor. The Zoning Administrator shall give 84
29 the applicant, upon request, a certificate 85
30 indicating the date on which the measures 86
31 called for in the approved plans were 87
32 completed. 88
33 (c) Filling and dumping regulations. 89
34 In order to promote the health and safety of 90
35 the Village, to protect life and property 91
36 from flooding, to preserve stormwater re- 92
37 tention areas, and to ensure consistency 93
38 with the comprehensive plan, filling and 94
39 dumping activity shall require a condition- 95
40 al zoning permit in the case where a build- 96
41 ing permit is not required, when the filling 97
42 and dumping increases the original base 98
43 elevation more than six inches. 99
44 (d) Exemptions. 100
45 Agricultural activities are specifically ex- 101
46 empt from this section. 102
47 **Sec. 66.1020 Pier Permits** 103
48 (a) Definitions. The definitions contained 104
49 within Wisconsin Statutes Section 30.01 105
50 are incorporated in and adopted as part of 106
51 this section (Amended Ordinance 112- 107
52 102505). 108
53 (1) Pier. Means any structure extending 109
54 into navigable waters from the shore 110
55 with water on both sides, built or 111
56 maintained for the purpose of 112

providing a berth for watercraft or
for loading or unloading cargo or
passengers onto or from watercraft.
Such a structure may include a boat
shelter, which is removed seasonal-
ly. Such a structure may include a
boat hoist or boatlift, and the hoist
or lift may be permanent or may be
removed seasonally. The term
"dock" shall also mean pier.

(2) Pre-existing Pier. A pier that has
been placed in the riparian zone in
the same general location and with
the same general size and configu-
ration during any of the three years
prior to the enactment of this sec-
tion is considered a pre-existing pier
if it is not extended or expanded af-
ter the adoption of this section dat-
ed October 25, 2005. The seasonal
removal of a pier does not affect its
status as a permissible pre-existing
pier if it is re-established in substan-
tially the same form and same gen-
eral location.

(3) Riparian Zone. The area of water
adjacent to a parcel of riparian land
within which the riparian owner
may place structures. The riparian
zone is bounded by the land and
the line of navigation. The side
boundaries of the riparian zone are
to be determined consistent with
Wisconsin Administrative Code Sec-
tion NR 326.07.

(b) Permit Required.

(1) No riparian shall construct any pier
in the Village without first having
secured a permit therefore from the
Village. A permit is valid for the life
of the pier, whether a permanent or
portable pier, as long as its location
and construction remain substantial-
ly unchanged and the pier and its
use comply with the provisions of
this section.

(2) Any required U.S. Army Corps of
Engineers or Department of Natural
Resources permit required for the
proposed pier shall be obtained pri-
or to issuance of a pier permit from
the Village of Sister Bay.

(3) The applicant for any pier used for
commercial purposes, to generate
revenue, or in riparian zones abut-
ting multiple-family residential

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1020 PIER PERMITS

SEC. 66.1020 PIER PERMITS

- 1 housing shall make application to 56
2 the Plan Commission of the Village 57
3 of Sister Bay for a pier permit and 58
4 must meet all standards of this sec- 59
5 tion. 60
- 6 (4) A pre-existing pier, which fails to 61
7 conform to the requirements of this 62
8 section, is permissible as a non- 63
9 conforming structure. Owners of 64
10 nonconforming structures may per- 65
11 form repairs and maintenance upon 66
12 the nonconforming structure with- 67
13 out expanding the structure. A per- 68
14 mit shall be required for any modi- 69
15 fication of a pre-existing pier. 70
- 16 (c) Application for Permit. 71
17 All applications for a permit shall be in 72
18 writing on forms provided by the Village 73
19 Administrator. The application shall in- 74
20 clude a copy of any permit required by the 75
21 U.S. Army Corps of Engineers and/or De- 76
22 partment of Natural Resources. The appli- 77
23 cation shall include the fee as established 78
24 by resolution of the Board of Trustees to be 79
25 the same as a standard zoning permit. 80
- 26 (d) Determination of Applicability. 81
27 The Village may determine that the opin- 82
28 ion of a consultant is necessary to deter- 83
29 mine whether the pier proposed by the ap- 84
30 plicant meets the standards of this ordi- 85
31 nance or may have an environmental im- 86
32 pact. In such event, the applicant shall be 87
33 required to reimburse the Village for all 88
34 consulting fees and expenses incurred in 89
35 such review. 90
- 36 (e) Standards for Pier Construction 91
37 (1) No solid pier or pier that uses rock- 92
38 filled cribs as a foundation shall be 93
39 allowed unless a permit for such 94
40 pier has been issued by the De- 95
41 partment of Natural Resources. 96
- 42 (2) No pier shall totally enclose any 97
43 portion of navigable waters. 98
- 44 (3) No pier shall be placed less than 25 99
45 feet from the side boundaries of the 100
46 owner's riparian zone. 101
- 47 (4) No pier may include attached light- 102
48 ing in excess of that required in aid 103
49 to navigation, or signs unless they 104
50 are specifically authorized in per- 105
51 mits issued by the Department of 106
52 Natural Resources, Wisconsin De- 107
53 partment of Transportation or U.S. 108
54 Army Corps of Engineers. Low-level 109
55 pedestrian lighting shall be permit- 110
111
- ted consistent with the requirements 112
of Section 66.0809 [See page 119].
- (5) All pier materials shall be of neutral 113
colors so that they blend in with 114
surroundings. 115
- (6) No roofs, canopies, decks, water 116
slides or other construction not es- 117
sential for mooring watercraft shall 118
be permitted. 119
- (7) No pier shall unreasonably obstruct 120
navigation or otherwise interfere 121
with public rights in navigable wa- 122
ters. 123
- (8) No pier shall unreasonably interfere 124
with the rights of other riparian's. 125
- (9) No pier shall be constructed or 126
maintained with a screen or in any 127
other manner, which would trap or 128
accumulate aquatic plants. 129
- (10) Unless they are pre-existing, the to- 130
tal number of piers shall not exceed 131
one (1) for riparian zones abutting 132
parcels with single-family dwellings 133
and shall not exceed two (2) for ri- 134
parian zones abutting parcels with 135
two-family dwellings. The total 136
number of piers for riparian zones 137
abutting multiple-family residential 138
developments, or common areas for 139
condominiums or residential subdivi- 140
sions, shall be determined by the 141
Plan Commission, but shall not ex- 142
ceed the total number of dwelling 143
units. 144
- (11) No parcel of land shall have more 145
than one pier. The pier shall be 146
sized so as to accommodate no 147
more than a total of three boats or 148
watercraft. 149
- (f) Removal of Unlawful Construction. 150
Any pier that is not in compliance with the 151
requirements of this section shall constitute 152
an unlawful obstruction to navigable wa- 153
ters, and the procedures for removal of 154
such unlawful structures shall be as pro- 155
vided in Wisconsin Statutes Section 30.13. 156
Any pier that is not in compliance with the 157
provisions of this section shall constitute a 158
public nuisance and may be subject to 159
abatement procedures as provided by law. 160
- (g) Enforcement; Forfeiture. 161
Any person or entity in violation of this 162
section may be subject to a forfeiture of up 163
to \$100, plus costs, for each violation, with 164
each day that the unlawful structure re- 165
mains in place constituting a separate of-

VILLAGE OF SISTER BAY ZONING CODE

fense. In addition, the Village may seek an order to abate the public nuisance, seek removal of the unlawful structure under applicable law and may be awarded the costs of prosecution, including reasonable attorney fees, for any proceeding filed hereunder.

(h) Conditional Use Permit.

(1) An applicant for a pier permit may request a conditional use permit to vary from the terms of this section as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship, so that the spirit shall be observed, public safety and welfare secured, and substantial justice done. The request shall be handled in the same manner as a conditional use permit as specified in Section 66.1535 [See page 156].

(2) A request for a conditional use permit from the terms of this section shall be submitted in writing to the Zoning Administrator with payment to the Village of Sister Bay of the conditional use fee.

(3) A request of a conditional use permit shall be forwarded to the Village Marina Committee who shall submit a recommendation to the Plan Commission within 30 days. Upon receipt of the recommendation of the Marina Committee, the conditional use permit shall be considered by the Plan Commission with a conditional use permit to be granted only upon the vote of a majority of the Plan Commission members present. In considering the request for variance the Plan Commission shall consider the factors set forth in Section (h)(1) hereof, as well as other relevant information.

(4) The Plan Commission shall conduct a public hearing on the conditional use permit as required under Section 66. 66. 1801 [See page 166] including notice to adjoining riparian property owners within 300 hundred feet of the subject property. The recommendation of the Plan Commission shall be forwarded to

the Board of Trustees as required in Section 66.1535 [See page 156].

(i) Appeals.

(1) The applicant or any party aggrieved by a decision of the Village Administrator upon a pier permit application may appeal such decision by filing a written request for appeal within 30 days after the determination to issue or deny the application to the Plan Commission of the Village of Sister Bay, with the appeal request to be filed with the Village Clerk.

(2) The applicant or any party aggrieved by a decision of the Plan Commission upon a pier permit application may appeal such decision by filing a written request for appeal within 30 days after the determination to issue or deny the application to the Board of Appeals of the Village of Sister Bay, with the appeal request to be filed with the Village Clerk.

Sec. 66.1025 Impact on Housing Stock

(a) Purpose.

The purpose of these regulations is to insure that commercial projects that create employment opportunities for area residents also address the shortage of employee housing and create housing opportunities given the seasonal nature of employment in the Sister Bay area.

(b) Definition.

For the purposes of this section:

(1) The term "housing" shall include dwelling units or rooms in hotels, motels, inns, single-family housing and apartments that are in compliance with the zoning code and if applicable, properly licensed by the State of Wisconsin.

(c) Applicability.

The following standards apply to:

- (1) All new developments in the B-1, B-2 and B-3 districts.
- (2) Projects in the B-1, B-2 or B-3 district that require a Certificate of Compliance.

(d) Requirement.

As a condition of site plan and zoning approval, the Plan Commission shall review the employment being created by the project. The Plan Commission may give consideration to offsetting some of the required

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1030 IMPACT ON WORKFORCE HOUSING

SEC. 66.1036 CRITERIA FOR ADDRESS NUMBER ASSIGNMENT.

1 employee parking if employee housing
2 dwelling units are created on site. The Plan
3 Commission may give consideration to off-
4 setting some of the required open space to
5 a maximum credit of 5% if employee hous-
6 ing dwelling units are created on site.
7 (Amended Ordinance 163-030910)

8 **Sec. 66.1030 Impact on Workforce Housing**

- 9 (a) Purpose.
10 The purpose of these regulations is to in-
11 sure that residential projects address the
12 need for workforce housing.
- 13 (b) Applicability.
14 The following standards apply to new de-
15 velopments in the R-2 district.
- 16 (c) Requirements.
17 As a condition of site plan and zoning ap-
18 proval, the Plan Commission shall review
19 the number of housing units being created
20 for the project. If the Plan Commission de-
21 termines that the need for workforce hous-
22 ing remains as outlined in Chapter 3 and 4
23 of the 2003 Comprehensive Plan and as
24 defined in Section 66.0314, then the Plan
25 commission may make certain adjustments
26 to the density requirements in Section
27 66.0312 of the code. The Plan Commission
28 may increase the overall project unit densi-
29 ty by 0.2 units for each dwelling unit that
30 meets the requirements of workforce hous-
31 ing. (Amended Ordinance 163-030910)

32 **Sec. 66.1035 Property Addressing**

- 33 (a) Purpose.
34 The purpose is to establish the procedures
35 used to implement and administer a uni-
36 form addressing system in Village of Sister
37 Bay that utilizes address numbers deter-
38 mined by the Door County Planning De-
39 partment. The basis for the assignment of
40 property address numbers shall be the
41 Door County baseline system. (Sections
42 66.1035-1025) (Amended Ordinance 126-
43 051407)
- 44 (b) Responsibilities.
45 The Door County Planning Department
46 shall be responsible for assigning all prop-
47 erty addresses upon submission of the nec-
48 cessary information from the Village Admin-
49 istrator.
- 50 (c) Fees and Charges.
51 The Village Board shall establish such fees
52 for the issuance of property addresses.

- 53 (d) Progression and Spacing of Number Lines.
54 The property addressing in the Village shall
55 comply with a system that assigns numbers
56 based upon the following formula:
57 (1) 150 even numbers per mile (~35.2-
58 foot intervals) on the east and north
59 sides of roads.
60 (2) 150 odd numbers per mile (~35.2-
61 foot intervals) on the west and south
62 sides of roads.
- 63 (e) Measurement of Number Line.
64 Number lines indicating grid location with
65 regard to the appropriate baseline shall be
66 measured to the point where the principal
67 driveway intersects with the road. Possible
68 exceptions may be made for corner lots
69 and double frontage lots. Adjustments may
70 be made at time of number assignment so
71 as to maintain consistent sequencing of
72 address numbers.
- 73 (f) Property Address Application.
74 All requests for property addresses shall be
75 completed on Building Address Permit
76 form provided by the Village Administra-
77 tor.

78 **Sec. 66.1036 Criteria for Address Number As-** 79 **ignment.**

- 80 (a) New Development.
81 Addresses are assigned prior to the issu-
82 ance of a zoning permit for a principal use.
83 Address numbers shall be assigned when
84 the principal use of a property or a drive-
85 way location has been determined. Issu-
86 ance of an address number may also be
87 triggered by:
88 (1) Driveway permit.
89 (2) Requests from builders or public
90 utilities.
91 (3) Field inspection.
92 (4) Requests from property owners.
- 93 (b) Accessory Building Addressing.
94 New numbers will generally not be as-
95 signed to new buildings accessory to the
96 principal use (i.e., a new house will be as-
97 signed a number, but a detached garage or
98 storage building will not be assigned a
99 number). Accessory buildings may be as-
100 signed a separate address if accessed by a
101 separate driveway or if accessed by the
102 principal driveway, but housing a separate
103 use.
- 104 (c) Accessory Uses.
105 An accessory use with no other accompa-
106 nying principal use may also require an
107 address.
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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1037 ADDRESS SIGN CRITERIA AND PLACEMENT SEC. 66.1037 ADDRESS SIGN CRITERIA AND PLACEMENT

- 1 (d) Driveways.
2 (1) Address numbers are generally re-
3 quired when there is a driveway
4 (existing or proposed) that serves or
5 will serve a principal use or acces-
6 sory use, as described above in
7 66.1036(a). Address numbers shall
8 not be assigned until a driveway lo-
9 cation has been determined.
10 (2) Driveways that do not serve a prin-
11 cipal use may not require address
12 numbers. Door County will main-
13 tain discretion in this matter.
14 (3) Each development or lot on a
15 shared driveway shall be assigned
16 an address. A summary sign display-
17 ing the road name and each address
18 shall be placed at the intersection of
19 the driveway and the road. The cost
20 of such sign shall be paid for by the
21 affected property owners.
- 22 (e) Condominiums and Apartments.
23 (1) Each building shall be assigned one
24 address number with each unit fur-
25 ther identified by additional num-
26 bers or letters.
27 (2) Townhouse and duplex units with
28 individual driveways and entrances
29 may be assigned unique address
30 numbers.
- 31 (f) Meandering Roads.
32 (1) Assignment of numbers shall be
33 based on predominate road direc-
34 tion with the numbers per mile
35 spacing maintained (see Section
36 66.1035(d)). Number assignment
37 may be adjusted to accommodate
38 additional road length.
39 (2) Where the road makes a 90° direc-
40 tional change for more than one-
41 half mile, that road segment may be
42 numbered consistent with the direc-
43 tional change.
- 44 (g) Looping Roads.
45 (1) For roads that begin and end on a
46 single road, resulting in two parallel
47 sides, the loop road shall be split in
48 half and appropriate side designa-
49 tions shall be given to the name of
50 the road. For example, a loop road
51 named Circle Road might be split
52 into North Circle Road and South
53 Circle Road. Therefore, two devel-
54 opments on Circle Road might have
55 the same address number, but dif-
56 ferent road names.

- 57 (2) The number range on the two sides
58 shall be similar. An even and odd
59 number shall abut at the change of
60 direction.
61 (3) Short loop roads may be addressed
62 based on primary direction if num-
63 ber density allows.
64 (h) Cul-de-Sacs.
65 An even and an odd number will abut at
66 some point on the turning circle of a cul-
67 de-sac.

68 **Sec. 66.1037 Address Sign Criteria and** 69 **Placement**

- 70 (a) Residential Buildings.
71 All single family and two family residential
72 buildings and all institutional buildings
73 shall have street numbers at least three
74 inches high, placed on the exterior wall of
75 the principal building, or immediate prox-
76 imity to the principal building that faces
77 the street providing access to the building.
78 All such residential units shall also have
79 street numbers, not less than two inches
80 high, placed on their respective mailbox if
81 one exists.
- 82 (b) Multifamily Buildings.
83 All multifamily buildings shall have street
84 numbers at least three inches high, placed
85 on the exterior wall of the principal build-
86 ing that faces the street and located adja-
87 cent to the individual unit entrances to the
88 buildings.
- 89 (c) Business Buildings.
90 All business buildings shall have street
91 numbers at least six inches high, placed on
92 the exterior wall of the principal building
93 facing the street, service drive or parking
94 lot providing access to that building and
95 located adjacent to any primary entrance
96 door.
- 97 (d) Other Buildings.
98 All business structures, which have a rear
99 service door, shall identify the occupant
100 and the street address conspicuously on
101 the rear door in contrasting and reflective
102 letters and numbers at least six inches in
103 height, and shall be continually main-
104 tained.
- 105 (e) Address Sign Placement for Buildings with
106 Excessive Setback from the Street.
107 Buildings that are setback more than eighty
108 (80) feet from the centerline of the street
109 shall be required to place an address sign
110 as required below, unless a mailbox is
111 placed where the address sign would be

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1038 STREET AND ROAD NAMING

SEC. 66.1039 COUNTY ADMINISTRATION OF VILLAGE NUMBERING

placed. The criteria for address signs is a follows:

- (1) Address signs shall be securely fastened. No metal fence posts are to be used for posting address numbers. Alternate methods may be used where ground conditions prohibit placement of a post. The Door County standard green number sign is prohibited.
- (2) Signs shall be placed to the right side of driveways, when viewed from the road, if practical. Signs may be placed to the left side of the driveway if number visibility is better accomplished or if right side installation is not practical. Exceptions may be possible for corner lots or double frontage lots. The sign face shall be toward the road.
- (3) Signs shall be located not greater than twenty feet from the edge of the driveway. Variation may be allowed at the Village's discretion, such as for, but not limited to, corner lots and double frontage lots.
- (4) Signs shall not be set back further than ten feet from the road right-of-way. The sign shall be in a horizontal position at approximately 4.5 to 5 feet above the road level.
- (5) The address sign numbers shall be at least three inches high.

(f) Sign Standardization.

Property owners are permitted to use any color, material, size (meeting or exceeding the minimums), shape, or style of sign for the addressing as required in (a) – (e) above as long as no prohibited types are used.

Sec. 66.1038 Street and Road Naming

(a) Administration.

The Plan Commission shall approve all public and private street and road names. The Plan Commission may name and or rename roads when deemed appropriate. Requests for new road names may come from the Village Board, land developers, or private citizens.

(b) Official Street Map.

There is hereby established an Official Street Map of the Village of Sister Bay. The Plan Commission shall designate all public and private streets on an Official Street Map. [Note Refer to Section 54.050 for the

requirements of the Official Map, which is a different type of mapping.]

(c) Street Naming Criteria.

All public and private roads serving four or more principal uses or intended principal uses shall be named and addressed using the following criteria:

- (1) New road names shall be easy to pronounce and easily recognizable in emergency situations. Each road name shall be unique in spelling and sound. The Plan Commission shall base acceptance of a proposed road name on whether or not the proposed name is already in use within the Village and seek to avoid duplicate names already in existence in the County, including incorporated areas.
- (2) Road names shall not contain hyphens.
- (3) 1st, 2nd, etc. shall not be used.
- (4) Alphabetical characters shall not be allowed as road names.
- (5) New road names shall not include compass directions or abbreviated directions.
- (6) New road names shall not exceed 18 characters in length including the road type.
- (7) New roads that are an extension of existing roads shall maintain the same road name.

(d) Road Types.

Road type designations (Road, Lane, Circle, etc.) shall adhere to the Urban and Regional Information Systems Association's (URISA) policies and procedures.

(e) Street Name Sign Standards.

The Plan Commission shall establish a standard type of sign for street names. The standard shall include the sign location and type of post. No other signage shall be allowed on street name signposts. All material and labor costs associated with the purchase and installation of street name signs for private developments and private streets shall be borne by the property owner or developer.

Sec. 66.1039 County Administration of Village Numbering

The Door County Planning Department shall maintain a record of all assigned addresses and of all road names and their locations. The Door County Planning Department may adopt policies

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1040 PROPERTY ADDRESS REASSIGNMENT IMPLEMENTATION

SEC. 66.1040 PROPERTY ADDRESS REASSIGNMENT IMPLEMENTATION

1 and practices as necessary to manage the County
2 addressing system and to insure fulfillment of the
3 purpose of the Uniform Addressing System Ordinance.
4

5 **Sec. 66.1040 Property Address Reassignment** 6 **Implementation**

- 7 (a) Any new building addresses assigned after
8 the effective date of this ordinance shall be
9 based upon the County numbering system.
- 10 (b) Existing properties with addresses assigned
11 to buildings shall be converted to the
12 County numbering system no later than
13 April 1, 2008. Door County shall provide
14 the Village with electronic data file incorporating the existing property address, proposed property address and mailing address for each property in the Village with an existing property address no later than
15 August 1, 2007. Door County will be responsible for all notifications to businesses and agencies affected by the wholesale conversion of Village Addresses.
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VILLAGE OF SISTER BAY ZONING CODE

- 1 **Sec. 66.1050 Site Plan and Architectural Re-** 56
2 **view** 57
3 For the purpose of promoting compatible devel- 58
4 opment, stability of property values, and to pre- 59
5 vent impairment or depreciation of property val- 60
6 ues, no person shall commence any use or erect 61
7 any structure without first obtaining the approval 62
8 of detailed site and architectural plans, as set forth 63
9 in this section and Section 66.1050, prior to the 64
10 issuance of a zoning permit. The Plan Commis- 65
11 sion shall review architectural plans and site plans 66
12 showing existing and proposed structures, neigh- 67
13 boring uses, parking areas, driveway locations, 68
14 loading and unloading areas, highway access, 69
15 traffic generation and circulation, drainage, the 70
16 utilization of landscaping, existing natural re- 71
17 sources and the proposed operation in all districts. 72
18 However, this process shall not be required in the 73
19 CS-1 district, unless the development site contains 74
20 wetlands as shown on either the July 1, 1992, Fi- 75
21 nal Wetlands Inventory Map issued by the Wis- 76
22 consin Department of Natural Resources or wet 77
23 areas as shown on the Village's latest topographic 78
24 maps or woodlands as shown on the most recent 79
25 aerial photos of the Village. Single-family and 80
26 two-family dwellings shall not be subject to site 81
27 plan and architectural review by the Plan Com- 82
28 mission, however, if in the opinion of the Zoning 83
29 Administrator, such residential plans exhibit de- 84
30 sign or appearance characteristics to require ar- 85
31 chitectural review, the Zoning Administrator shall 86
32 refer the application and such written opinion to 87
33 the Plan Commission for review. (Amended Ord- 88
34 nance 162-011210) 89
- 35 (a) Principles. 90
36 To implement and define criteria for the 91
37 purposes set forth above, the following 92
38 principles are established to apply to all 93
39 new structures and uses and to changes or 94
40 additions to existing structures and uses. 95
41 (1) (9) Reserved for future use. 96
42 (10) No building or use shall be permit- 97
43 ted that would have a negative im- 98
44 pact on the maintenance of safe and 99
45 healthful conditions for the Village. 100
46 (11) Buildings and uses shall maintain 101
47 existing topography, drainage pat- 102
48 terns and vegetative cover insofar as 103
49 is practical. The Plan Commission 104
50 may require that drainage ease- 105
51 ments be executed. 106
52 (12) Appropriate buffers shall be provid- 107
53 ed between dissimilar uses as set 108
54 forth in section 66.0303(d) [See 109
55 page 6] of the Municipal Code. 110
111
- (13) Buildings and uses shall provide for 112
safe and efficient traffic circulation 113
and driveway locations as set forth 114
in section 66.0406 (Highway Ac- 115
cess) [See page 89] of the Municipal 116
Code. 117
- (14) Fire protection and hydrants. The 118
intent of this section is to insure ad- 119
equate water supply for fire-fighting 120
purposes to structures and build- 121
ings. The Village Engineer and Fire 122
Chief shall certify in writing that suf- 123
ficient water flow and pressure ex- 124
ists to serve the project for fire pro- 125
tection. For the purpose of placing 126
hydrants, normal access routes are 127
defined as pavement, sidewalks, 128
streets, driveways and paths leading 129
to the building that are clear and 130
maintained year round. The normal 131
access route does not include grass, 132
parking stalls, ditches, hills, shrub 133
beds, fences, walls or any other area 134
not typically used for ingress or re- 135
gress to a building. (Amended Ord- 136
inance 134-121107) 137
- a. Buildings Where Required. 138
Any building, except single- 139
and two-family dwellings, 140
hereafter erected, shall pro- 141
vide, at the owner's expense, 142
approved water hydrants. 143
Hydrants shall be located so 144
that no part of a building is 145
more than 300 feet from an 146
approved hydrant by normal 147
access routes. This require- 148
ment may be modified upon 149
written request by the owner 150
to both the Fire Chief and 151
Utility Manager who must 152
both concur in writing why 153
the modification should be 154
permitted. The request may 155
be approved only if the fire 156
protection provided to the 157
building is not reduced by 158
the modification. Required 159
hydrants shall be free stand- 160
ing and shall be installed not 161
more than 50 feet or less 162
than 25 feet from the build- 163
ing exterior wall. No hydrant 164
shall be placed closer than 165
50 feet to any other hydrant. 166
The Fire Department Fire In-

VILLAGE OF SISTER BAY ZONING CODE

| | | | | |
|----|--|-----|---|-----------------------------|
| 1 | spectator and Utility Manager | 57 | a. | No loading dock or overhead |
| 2 | will approve the actual loca- | 58 | doors shall face upon a street | |
| 3 | tion of all fire hydrants. Two | 59 | right-of-way in business dis- | |
| 4 | copies of the building plans | 60 | tricts unless no practical al- | |
| 5 | including site plan, shall be | 61 | ternative exists. | |
| 6 | provided to the Zoning Ad- | 62 | b. | Uninterrupted parking lots |
| 7 | ministrator for Fire Depart- | 63 | along the full street frontage | |
| 8 | ment use, in addition to any | 64 | of business developments | |
| 9 | copies of building plans re- | 65 | abutting a public right-of- | |
| 10 | quired by the Zoning Admin- | 66 | way are inappropriate, and | |
| 11 | istrator. (Amended Ordina- | 67 | will not be permitted, except | |
| 12 | nance 134-121107) | 68 | where the physical orienta- | |
| 13 | b. Accessibility. | 69 | tion of the lot makes it nec- | |
| 14 | All developments in districts | 70 | essary. Parking should be di- | |
| 15 | other than R-1, R-3, R-4 and | 71 | rected to the side or rear of | |
| 16 | CS-1, the buildings, grading | 72 | the lot, where it is less visual- | |
| 17 | and landscaping shall be | 73 | ly intrusive. In the B-2 and B- | |
| 18 | constructed, installed and | 74 | 3 districts, none of the off- | |
| 19 | maintained in such a fashion | 75 | street parking for business | |
| 20 | that the Fire Department can | 76 | developments directly abut- | |
| 21 | have access around the en- | 77 | ting a public right-of-way | |
| 22 | tire building(s) during the en- | 78 | shall be located between the | |
| 23 | tire year. The Fire Chief shall | 79 | front of the building and the | |
| 24 | provide written confirmation | 80 | primary abutting street. | |
| 25 | of such access to the Plan | 81 | (Amended Ordinance 128- | |
| 26 | Commission prior to site plan | 82 | 061207). | |
| 27 | approval. (Amended Ordina- | 83 | (17) Each retail or service building in ex- | |
| 28 | nance 120-061306) | 84 | cess of 15,000 square feet gross | |
| 29 | (15) Buildings and uses shall be provid- | 85 | floor area must contribute to the es- | |
| 30 | ed with adequate access to the Vil- | 86 | tablishment or enhancement of | |
| 31 | lage's street and highway system as | 87 | community and public spaces by | |
| 32 | set forth in the Municipal Code. Ade- | 88 | providing a community amenity on | |
| 33 | quate street cross-sections appro- | 89 | the premises such as a patio/seating | |
| 34 | priate to the permitted use shall be | 90 | area, water feature, clock tower, or | |
| 35 | provided by the developer. | 91 | pedestrian plaza with benches. Re- | |
| 36 | a. Access onto major streets | 92 | tail buildings in excess of 30,000 | |
| 37 | should be held to the mini- | 93 | square feet gross floor area must | |
| 38 | mum necessary to provide | 94 | provide at least two of these ameni- | |
| 39 | safe and efficient traffic flow | 95 | ties. | |
| 40 | as determined by the Plan | 96 | (18) Sidewalks shall be provided along | |
| 41 | Commission. | 97 | all sides of the lot that abut a public | |
| 42 | b. Provisions shall be made for | 98 | street, and a continuous internal | |
| 43 | cross access between com- | 99 | pedestrian walkway must be pro- | |
| 44 | patible business develop- | 100 | vided from the perimeter public | |
| 45 | ments. | 101 | sidewalk to the principal customer | |
| 46 | c. Primary access to business | 102 | entrance. The internal pedestrian | |
| 47 | developments shall not be | 103 | walkways must be distinguished | |
| 48 | through residentially zoned | 104 | from driving surfaces with con- | |
| 49 | areas. | 105 | trasting materials to enhance pedes- | |
| 50 | d. The Plan Commission may | 106 | trian safety. Examples of acceptable | |
| 51 | require that dedications of | 107 | materials include, but are not lim- | |
| 52 | right-of-way be executed for | 108 | ited to special pavers, bricks, or | |
| 53 | the public streets serving the | 109 | scored concrete. A bikeway shall be | |
| 54 | property. | 110 | provided along the side of a lot des- | |
| 55 | (16) Buildings and uses shall provide ade- | 111 | ignated as a bikeway route by the | |
| 56 | quate parking and loading areas. | 112 | Village or Door County. The Plan | |

VILLAGE OF SISTER BAY ZONING CODE

1 Commission may require that ease- 57
2 ments be executed for the public 58
3 sidewalk and bikeway on the prop- 59
4 erty. 60
5 (19) All signs must be designed and con- 61
6 structed in accordance with section 62
7 66.0700 [See page 107] of the Mu- 63
8 nicipal Code. 64
9 (20) Buildings and uses shall be provid- 65
10 ed with adequate public sanitary 66
11 sewer and water services as ap- 67
12 proved by the appropriate utility. 68
13 Storm water drainage facilities may 69
14 be required. The Plan Commission 70
15 may require that easements be exe- 71
16 cuted for water and sanitary lines on 72
17 the property. 73
18 (21) Buildings and uses shall be provid- 74
19 ed with adequate lighting installed 75
20 in a manner that does not interfere 76
21 with users of adjacent properties. 77
22 (22) Buildings and uses shall be provid- 78
23 ed with dumpsters and trash recep- 79
24 tacles in a number and location ap- 80
25 propriate for the use as determined 81
26 by the Plan Commission. All dump- 82
27 sters shall be fenced and/or 83
28 screened from view from street 84
29 rights-of-way and adjacent residen- 85
30 tial uses. 86
31 (23) The required open space shall be 87
32 designed as an integral part of the 88
33 site, and may not include those are- 89
34 as required for parking, loading or 90
35 other impervious surfaces. This re- 91
36 quirement does not apply to the re- 92
37 development of sites, including, but 93
38 not limited to, the construction of a 94
39 new building, additional building, 95
40 building addition or expanded park- 96
41 ing lot, which do not meet this min- 97
42 imum requirement at the time of the 98
43 adoption of this ordinance. In those 99
44 cases, the minimum amount of 100
45 open space may not be reduced be- 101
46 yond that which exists on the prop- 102
47 erty at the time of the adoption of 103
48 this ordinance. (Amended Ordi- 104
49 nance 159-120809) 105
50 (24) Wetlands shall not be cleared, filled 106
51 or drained if the development will 107
52 result in significant adverse impacts 108
53 to the functional values of the af- 109
54 fected wetlands, significant adverse 110
55 impacts to water quality or other 111
56 environmental consequences. They 112

shall be protected within an overall
development plan for the property.
In order to make this determination,
the owner or developer of any
property or properties that are in-
volved with any of the following
shall have any wetland on the prop-
erty, as outlined on the 1992 Final
Wetland Inventory Map or as sub-
sequently identified, staked and le-
gally described:
a. Rezoning
b. Subdivision Plat
c. Conditional Use
d. Official Map Amendment
e. Certified Survey Map
f. Building Permit
(25) Woodlands shall, to the greatest
practical extent possible, be pro-
tected within an overall develop-
ment plan for the property. In order
to make this determination, the
owner or developer of any property
or properties that are involved with
any of the following shall have any
woodland on the property, as
shown on the most recent aerial
photo of the Village, staked, inven-
toried and legally described:
a. Rezoning
b. Subdivision Plat
c. Conditional Use
d. Official Map Amendment
e. Certified Survey Map
f. Building Permit
(26) From a practical standpoint, devel-
opment may occur on a cleared or
restored site, with appropriate gov-
ernmental permits, of up to 20,000
square feet in area; if the wetland
and woodland property is at least
five acres in area and is at least 150
feet in width.
(27) Wetlands may be used in the den-
sity calculation of a development, but
in no case shall they constitute
more than 25 percent of the mini-
mum lot area required.
(b) Sureties.
The Plan Commission shall impose time
schedules for the completion of buildings,
parking areas, open space utilization, and
landscaping. The Plan Commission may
require appropriate sureties to guarantee
that improvements will be completed on
schedule; as well as the approved protec-

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SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

1 tion of the identified wetlands and wood-
2 lands on the approved plan.

3 (c) Appeals.
4 Any person or persons aggrieved by any
5 decisions of the Plan Commission related
6 to plan review may appeal the decision to
7 the Zoning Board of Appeals. Such appeal
8 shall be filed with the Village Clerk within
9 30 days after filing of the decision with the
10 Zoning Administrator.

11 (d) Modification of Standards.
12 The Plan Commission may modify any of
13 the above standards by a $\frac{3}{4}$ -majority vote
14 of the Commissioners, but only if supple-
15 mental design elements or improvements
16 are incorporated into the project, which
17 compensate for the modifications of the
18 particular standard.

19 **Sec. 66.1055 Architectural Review Criteria.**

20 (Amended Ordinance 162-011210)

21 (a) Purpose and intent.
22 Section 66.1050 was adopted by the Vil-
23 lage, for all zoning districts, to promote the
24 health, safety, aesthetics, and general wel-
25 fare in and of the Village, by:

- 26 (1) Protecting the general appearance
27 of buildings, structures, and open
28 areas; and
- 29 (2) Ensuring adequate light, air and pri-
30 vacy for property; and
- 31 (3) Encouraging architectural standards
32 that promote high quality design
33 and use of quality materials, and
34 composition of materials, that are
35 attractive and compatible with exist-
36 ing buildings, and to maintain prop-
37 erty values.

38 (b) Architectural Review Board

39 (1) The Village shall appoint an Archi-
40 tectural Review Board to assist and
41 provide recommendation to the Vil-
42 lage plan commission based on the
43 conditions of the Village Architec-
44 tural Standards.

45 (2) The Village Plan Commission mem-
46 bers shall serve as the Architectural
47 Review Board unless the Board of
48 Trustees appoints five residents with
49 one-year terms to serve as the Ar-
50 chitectural Review Board. Unless
51 the Board of Trustees appoints an
52 Architectural Review Board all ref-
53 erences in this section shall be to
54 the Village Plan Commission.

55 (c) Architectural review process.

56 The Village Plan Commission shall be re-
57 sponsible and have authority to hear, re-
58 view and act upon proposed commercial,
59 multi-family residential and mixed-use ar-
60 chitectural plans for new construction,
61 renovation, remodeling and restoration
62 work, based on the provided recommenda-
63 tion of the Architectural Review Board.

64 (1) Plans for architectural review shall
65 be submitted in accordance with
66 this section and administered by the
67 Zoning Administrator.

68 (2) The Village Plan Commission shall
69 not permit the design or exterior
70 appearance, which is of such unorthodox
71 or abnormal character in re-
72 lation to the surroundings as to be
73 unsightly or offensive to generally
74 accepted taste. Additionally, the Vil-
75 lage Plan Commission shall not
76 permit the design or exterior ap-
77 pearance, which is so identical with
78 those adjoining to create excessive
79 monotony and drabness.

80 (d) Design criteria.

81 In making its findings and determination
82 concerning each proposed project, the Ar-
83 chitectural Review Board shall review each
84 plan based on the conditions of the Village
85 Architectural Standards, including but not
86 limited to the following to create:

- 87 (1) A high-quality design, composi-
88 tion/usage of materials, colors, and
89 construction; and
- 90 (2) A diversity of architectural styles,
91 building scale and massing, build-
92 ing roof lines and shape; and
- 93 (3) A compatibility with surrounding
94 land uses and geographic location.

95 (e) Manual of Design.

96 The Architectural Review Board shall es-
97 tablish a Manual of Design that includes
98 photographs, drawings and color samples
99 that represent preferred designs. The Man-
100 ual of Design shall be updated periodical-
101 ly.

102 (f) Architectural Standards.

103 The purpose of these standards is to assist
104 the Village Plan Commission, Architectural
105 Review Board, and the public with a
106 standard to achieve quality in architectural
107 design and to create a sense of place
108 through appropriate use and composition
109 of materials, architectural styles, and land
110 use planning and design.

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SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

| | | | | | |
|----|--|-----|----|----------------------------------|--|
| 1 | (1) Exterior Architectural Treatment. | 56 | 4. | Avoid vast blank | |
| 2 | The image of the Village is influ- | 57 | | building walls in areas | |
| 3 | enced to a large degree by the de- | 58 | | visible from the street | |
| 4 | sign, character and architectural | 59 | | or adjacent residential | |
| 5 | aesthetics of its buildings. Architec- | 60 | | areas. Design facades | |
| 6 | tural treatment must be addressed | 61 | | must convey human- | |
| 7 | by the following standards: | 62 | | scale through fenestra- | |
| 8 | a. Massing/Scale. The massing | 63 | | tion, building articula- | |
| 9 | of a building refers to the | 64 | | tion, or detailing. | |
| 10 | overall size, bulk or volume | 65 | b. | Form/Proportion. The form | |
| 11 | of space, which a building | 66 | | and proportion of a build- | |
| 12 | encloses. Scale is conveyed | 67 | | ing's elevation and roof are | |
| 13 | by elements or parts of the | 68 | | basic form-giving character- | |
| 14 | building facade where door- | 69 | | istics that are important in re- | |
| 15 | ways, windows, and details | 70 | | lating a new building to oth- | |
| 16 | enable people to gauge its | 71 | | er buildings and to its setting. | |
| 17 | relative size and character in | 72 | | 1. Elements of a building | |
| 18 | relationship to the size of the | 73 | | must be emphasized | |
| 19 | human form. | 74 | | to clearly show the | |
| 20 | 1. The scale of the build- | 75 | | division of roof and | |
| 21 | ings must be compat- | 76 | | walls. Color, materials | |
| 22 | ible with the overall | 77 | | and/or details must be | |
| 23 | massing and the indi- | 78 | | utilized to express this | |
| 24 | vidual parts of adja- | 79 | | division. | |
| 25 | cent buildings, espe- | 80 | | 2. Building components | |
| 26 | cially adjacent to res- | 81 | | and appurtenances, | |
| 27 | idential areas. | 82 | | including doors, win- | |
| 28 | 2. Building heights of | 83 | | dows, canopies and | |
| 29 | new construction | 84 | | trim, must maintain | |
| 30 | must not exceed the | 85 | | this proportion to | |
| 31 | maximum building | 86 | | each other and to the | |
| 32 | height of each zoning | 87 | | building as a whole. | |
| 33 | district. | 88 | c. | Fenestration/Entrances. The | |
| 34 | a. A gradual tran- | 89 | | fenestration of building fa- | |
| 35 | sition to the | 90 | | çades is the orderly arrange- | |
| 36 | maximum | 91 | | ment of openings within the | |
| 37 | building height | 92 | | elevations of the building. | |
| 38 | is permitted. | 93 | | 1. Design openings must | |
| 39 | b. The relation- | 94 | | form a unified com- | |
| 40 | ship between | 95 | | position in proportion | |
| 41 | façade height | 96 | | to the building eleva- | |
| 42 | and width must | 97 | | tion. | |
| 43 | be maintained. | 98 | | 2. Large blank walls, | |
| 44 | 3. Transitions between | 99 | | which are exposed to | |
| 45 | adjacent residential | 100 | | view, must be avoid- | |
| 46 | structures and new | 101 | | ed by creating hori- | |
| 47 | non-residential struc- | 102 | | zontal and vertical in- | |
| 48 | tures to be construct- | 103 | | terest. Utilize fenestra- | |
| 49 | ed must also be | 104 | | tion, related detailing, | |
| 50 | achieved by the in- | 105 | | and articulation to | |
| 51 | corporation of hori- | 106 | | provide scale and re- | |
| 52 | zontal human-scale | 107 | | lief to the building fa- | |
| 53 | features in rooflines | 108 | | çade. These architec- | |
| 54 | and building eleva- | 109 | | tural characteristics | |
| 55 | tions. | 110 | | shall be easily identi- | |
| | | 111 | | fied by the viewer. | |

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|----|--|---|--|--|--|
| 1 | | 3. Oversized fenestration elements, which tend to create a monumental scale, shall be avoided unless specifically required by the type of building or relationship to its surroundings. | 57 58 59 60 61 62 63 64 65 | | |
| 2 | | | 66 | | |
| 3 | | | 67 | | |
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SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

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| | | | |
|----|----|-------------------------|-----|
| 1 | | cept for cedar | 57 |
| 2 | | shake siding | 58 |
| 3 | c. | Wood siding, | 59 |
| 4 | | i.e., plywood | 60 |
| 5 | | paneling and | 61 |
| 6 | | T-111 | 62 |
| 7 | d. | Highly reflec- | 63 |
| 8 | | tive or glare- | 64 |
| 9 | | producing glass | 65 |
| 10 | | with a 0.25 or | 66 |
| 11 | | greater reflec- | 67 |
| 12 | | tive factor | 68 |
| 13 | e. | Industrial metal | 69 |
| 14 | | panels with or | 70 |
| 15 | | without ex- | 71 |
| 16 | | posed fasteners | 72 |
| 17 | f. | Concrete ma- | 73 |
| 18 | | sonry units | 74 |
| 19 | g. | Exposed aggre- | 75 |
| 20 | | gate pre-cast | 76 |
| 21 | | concrete | 77 |
| 22 | h. | Soft Coat Exte- | 78 |
| 23 | | rior insulation | 79 |
| 24 | | finish systems | 80 |
| 25 | i. | Metal | 81 |
| 26 | f. | Exemptions. | 82 |
| 27 | 1. | Additions to existing | 83 |
| 28 | | buildings that are | 84 |
| 29 | | presently made of the | 85 |
| 30 | | prohibited building | 86 |
| 31 | | materials must comply | 87 |
| 32 | | with the provisions of | 88 |
| 33 | | this section for the | 89 |
| 34 | | addition. The appli- | 90 |
| 35 | | cant may request an | 91 |
| 36 | | exemption to allow | 92 |
| 37 | | the addition to consist | 93 |
| 38 | | of the same material | 94 |
| 39 | | as the existing build- | 95 |
| 40 | | ing. The exemption | 96 |
| 41 | | must be approved by | 97 |
| 42 | | a 3/4 majority vote of | 98 |
| 43 | | the Architectural Re- | 99 |
| 44 | | view Board and the | 100 |
| 45 | | Plan Commission pre- | 101 |
| 46 | | sent at the respective | 102 |
| 47 | | meeting and would be | 103 |
| 48 | | subject to the Archi- | 104 |
| 49 | | tectural Review Board | 105 |
| 50 | | requiring enhance- | 106 |
| 51 | | ments to the façade, | 107 |
| 52 | | additional landscap- | 108 |
| 53 | | ing, or other means to | 109 |
| 54 | | improve the aesthetics | 110 |
| 55 | | of the building. The | 111 |
| 56 | | exemption will be | 112 |

- based on examination of the following criteria:
- a. The prevailing material(s) used on buildings in the same area.
 - b. Visibility. The building should be well screened. The Architectural Review Board may require the façade of the highly visible areas be improved or screened with landscaping or other means.
- (2) An exemption to the prohibited materials may be obtained from the Architectural Review Board for exceptional designs.
- (3) Architectural Requirements. Building materials are critical in establishing the character and aesthetic for the area. Buildings require appropriate and respectful attention in the materials selected for facades. The following uses shall be consistent with the following standards for all buildings and building complexes:
- a. Building designs shall minimize the effects of size and scale by highlighting individual dwelling units using separate entrances and integrating garages (for multi-family buildings), use of variable roof lines, door and window openings, façade protrusions or recesses, and use of porticos, overhangs, arcades, arches and outdoor patios.
 - b. Accessory structures must be compatible with the primary building in terms of its character, roof shapes, building materials, colors and architectural details.
 - c. Building facades must incorporate unified and compli-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

| | | | | |
|----|--------------------------------|-----|----|---------------------------------|
| 1 | mentary finished materials, | 57 | e. | Variation in architectural de- |
| 2 | and to promote longevity | 58 | | tail, mass and proportion of |
| 3 | and durability. Materials that | 59 | | individual buildings may be |
| 4 | are appropriate or prohibited | 60 | | used to provide visual inter- |
| 5 | are stated in Section (e)(1)f. | 61 | | est where more than one |
| 6 | d. Colors shall be compatible, | 62 | | building is located on a sin- |
| 7 | coherent and harmonious | 63 | | gle parcel or multiple build- |
| 8 | with existing materials in the | 64 | | ings, which are part of a de- |
| 9 | immediate area. Color | 65 | | velopment. |
| 10 | schemes shall be used con- | 66 | f. | Roofs are elements of build- |
| 11 | sistently throughout the | 67 | | ings, which significantly af- |
| 12 | property, including on both | 68 | | fect the architectural charac- |
| 13 | the upper and lower portions | 69 | | ter. The roof is vital to the |
| 14 | of the buildings, and on all | 70 | | overall design theme of a |
| 15 | facades of a building or | 71 | | building since it is related to |
| 16 | structure. The following pro- | 72 | | its mass, scale, form, and |
| 17 | visions must be adhered to | 73 | | proportion. |
| 18 | unless the review of the Plan | 74 | 1. | For all visible roofs, |
| 19 | Commission states otherwise: | 75 | | roofing materials and |
| 20 | 1. Primary building fa- | 76 | | construction must be |
| 21 | cade colors on all four | 77 | | high quality, such as |
| 22 | sides, including build- | 78 | | but not limited to, |
| 23 | ing accents, fixtures | 79 | | standing-seam metal, |
| 24 | and signage, must be | 80 | | slate, cedar, or archi- |
| 25 | non-reflective and | 81 | | tectural shingles. |
| 26 | subtle. | 82 | | Roofing materials and |
| 27 | 2. Fluorescent, day-glow | 83 | | shape must be com- |
| 28 | and/or neon colors | 84 | | patible with the archi- |
| 29 | shall not be permitted. | 85 | | tectural style of the |
| 30 | 3. Colors must be select- | 86 | | building and with sur- |
| 31 | ed relative to the cho- | 87 | | rounding buildings |
| 32 | sen exterior building | 88 | | and roofs. |
| 33 | materials since it is a | 89 | g. | Corner Lot Buildings. Build- |
| 34 | critical design element | 90 | | ing on large corner lots have |
| 35 | relating to adjacent | 91 | | a tendency to create the ap- |
| 36 | buildings and to cre- | 92 | | pearance of a single massive |
| 37 | ate a compatible visu- | 93 | | building in conflict with the |
| 38 | al environment within | 94 | | goals of (f)(1)(a) |
| 39 | an area. In general, | 95 | | Massing/Scale. The building |
| 40 | colors must be inte- | 96 | | shall: |
| 41 | gral to a selected ma- | 97 | 1. | Incorporate design |
| 42 | terial rather than ap- | 98 | | factors in the building |
| 43 | plied on (painted) ex- | 99 | | footprint to step back |
| 44 | terior building materi- | 100 | | or change the angle of |
| 45 | als. | 101 | | the building to reduce |
| 46 | 4. Colors for secondary | 102 | | the appearance of a |
| 47 | facade materials shall | 103 | | long wall and |
| 48 | be compatible with | 104 | 2. | Incorporate architec- |
| 49 | the predominant col- | 105 | | tural features in that |
| 50 | ors, including accent | 106 | | portion of the building |
| 51 | colors. When such | 107 | | to create the appear- |
| 52 | contrasting colors are | 108 | | ance of a different |
| 53 | utilized, the colors | 109 | | building. |
| 54 | must not dominate the | 110 | h. | Service and Utility Areas. |
| 55 | visual character of the | 111 | | Buildings require mechanical |
| 56 | setting. | 112 | | equipment and service areas, |

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

SEC. 66.1055 ARCHITECTURAL REVIEW CRITERIA.

| | | | |
|----|--------------------------------|-----|----------------------------|
| 1 | which are normally unsightly | 57 | rior materials |
| 2 | and noisy. These areas in- | 58 | used and color. |
| 3 | clude, but are not limited to, | 59 | c. Dumpster en- |
| 4 | loading docks, exterior stor- | 60 | losures must |
| 5 | age areas, dumpsters and | 61 | not violate the |
| 6 | mechanical equipment such | 62 | building set- |
| 7 | as plumbing vent stacks, | 63 | back and park- |
| 8 | transformers, fans and cool- | 64 | ing require- |
| 9 | ing towers. The following | 65 | ments of the |
| 10 | standards address the treat- | 66 | zoning district |
| 11 | ment of service and utility | 67 | in which the |
| 12 | areas in order to reduce the | 68 | enclosure is lo- |
| 13 | negative visual impact of | 69 | ated. |
| 14 | such areas: | 70 | |
| 15 | 1. All service and utility | 71 | 4. All above grade utility |
| 16 | areas shall be located | 72 | connections, vents, |
| 17 | away from the street | 73 | and other projections |
| 18 | and concealed from | 74 | must be located along |
| 19 | building entrances, | 75 | exterior walls away |
| 20 | pedestrian areas, and | 76 | from high visibility ar- |
| 21 | adjacent residential | 77 | areas, such as front fa- |
| 22 | buildings. | 78 | acades or pedestrian |
| 23 | 2. Service areas and re- | 79 | areas. These vents al- |
| 24 | lated mechanical | 80 | so include, but are not |
| 25 | equipment shall be | 81 | limited to, air condi- |
| 26 | screened (100%) with | 82 | tioning units, air ex- |
| 27 | materials to match the | 83 | changers and under- |
| 28 | primary exterior mate- | 84 | ground utility vaults. |
| 29 | rials. Trash com- | 85 | 5. Rooftop mechanical |
| 30 | pactors and dumpsters | 86 | equipment shall not |
| 31 | shall be located adja- | 87 | be mounted on build- |
| 32 | cent to truck loading | 88 | ings unless the roof |
| 33 | areas and screened | 89 | parapet (cornice) |
| 34 | hundred percent | 90 | screens such equip- |
| 35 | (100%) with the pri- | 91 | ment 100% from pub- |
| 36 | mary exterior materi- | 92 | lic view, as measured |
| 37 | als. | 93 | from grade elevation, |
| 38 | 3. Where dumpsters are | 94 | from a minimum dis- |
| 39 | not fully screened by | 95 | tance of 500 feet from |
| 40 | the overall building | 96 | the building. |
| 41 | envelope, the follow- | 97 | a. The roof para- |
| 42 | ing standards must be | 98 | pet shall be in- |
| 43 | applied: | 99 | tegrated as part |
| 44 | a. Dumpsters | 100 | of the build- |
| 45 | must be | 101 | ing's overall |
| 46 | screened on all | 102 | design. |
| 47 | sides. | 103 | b. Each plan (in- |
| 48 | b. Dumpster en- | 104 | cluding re- |
| 49 | losures must | 105 | modeling exist- |
| 50 | be compatible | 106 | ing buildings) |
| 51 | in design with | 107 | must be re- |
| 52 | the architectur- | 108 | viewed indi- |
| 53 | al style of the | 109 | vidually based |
| 54 | primary build- | 110 | on location, |
| 55 | ing in terms of | 111 | finished grade |
| 56 | its scale, exte- | 112 | elevation and |
| | | | the surround- |

VILLAGE OF SISTER BAY ZONING CODE

1
 2 **Sec. 66.1060 Landscaping**
 3 The Plan Commission shall review landscaping
 4 plans for all new structures, uses and changes or
 5 additions to existing structures and uses in all zon-
 6 ing districts except for single-family homes in the
 7 CS-1, R-1, R-3 and R-4 districts. Landscape stand-
 8 ards are established to ensure that landscaping
 9 becomes an integral part of development in the
 10 business and residential districts. When buildings
 11 or parking lots are extended, these regulations
 12 shall apply to the extended portion of the building
 13 or parking lot. Location of landscape areas, plant
 14 materials, and protection afforded the plantings,
 15 including curbing and provision for maintenance
 16 shall be subject to approval by the Plan Commis-
 17 sion. The preservation of existing trees, shrubs,
 18 and other natural vegetation in the parking area
 19 may be included in the calculation of the required
 20 minimum landscape area. (Amended Ordinance
 21 159-120809)

22 (a) Street tree plantings in right-of-way.
 23 All projects, developments and subdivi-
 24 sions shall provide street trees planted eve-
 25 ry 35 feet along the right-of-way. The trees
 26 shall be of a species suitable for the loca-
 27 tion. This provision may be waived by the
 28 Plan Commission if in its opinion the par-
 29 cel or lot is already wooded.

30 (b) Parking Lot Screening.
 31 Those parking areas for four or more vehi-
 32 cles if adjoining a residential zoning dis-
 33 trict line or public right-of-way shall be
 34 screened from casual view by an earth
 35 berm, a solid wall, fence, evergreen plant-
 36 ing of equivalent visual density or other ef-
 37 fective means approved by the Plan Com-
 38 mission. Such fence or berm and landscap-
 39 ing together shall be an average of three
 40 feet in height between the parking and the
 41 street right-of-way and six feet in height be-
 42 tween the parking and any adjacent resi-
 43 dential property line. All screening materi-
 44 als shall be placed and maintained at a
 45 minimum height of three feet. The Plan
 46 Commission may require greater screening
 47 requirements for parking of large trucks,
 48 semi-trailers and large equipment.

- 49 (1) At least one ornamental deciduous
 50 tree, no less than 2.5" caliper, shall
 51 be incorporated into the design for
 52 every 35 linear feet of public street
 53 frontage.
 54 (2) At least 25% of the total green
 55 space area shall be landscaped uti-

56 lizing plant materials, other than
 57 maintained turf, that contributes to
 58 ground coverage. For purposes of
 59 determining the number of plants
 60 necessary to meet the minimum
 61 25% ground coverage requirement,
 62 plant types are categorized by their
 63 general size and potential mature
 64 at-grade coverage area.
 65

| Area of Coverage |
|-------------------------------------|
| Plant Type Provided |
| Evergreen Tree (>8' Dia. 75 sq. ft. |
| Large Shrub (6-8' Dia. 38 sq. ft. |
| Medium Shrub (4-6' Dia. 20 sq. ft. |
| Small Shrub (2-4' Dia. 12 sq. ft. |
| Perennial (4.5" Pot 6 sq. ft. |

66
 67 *Note shade and ornamental trees are not consid-
 68 ered a plant type contributing to "at grade" cover-
 69 age.

70 (3) To assure a diversity of color, tex-
 71 ture and year-round interest, the to-
 72 tal number of plant materials must
 73 be comprised of minimum 25% ev-
 74 ergreens, but no more than 70%.

75 (c) Interior landscape area.
 76 All public off-street parking lots, which
 77 serve five vehicles or more and are created
 78 or extended after November 13, 2004,
 79 shall be provided with accessory land-
 80 scaped areas; which may be landscape is-
 81 lands, landscape peninsulas or peripheral
 82 plantings totaling not less than five percent
 83 of the surfaced area. Landscape islands or
 84 peninsulas shall be dispersed throughout
 85 the off-street parking areas. Landscape is-
 86 lands shall provide a minimum 30-inch
 87 clear area for vehicle overhang and snow
 88 storage. One shade tree shall be provided
 89 within the interior planting area for every
 90 300 square feet of interior landscaping. For
 91 parking lots designed for 25 parking spaces
 92 or more, interior parking lot landscaping
 93 shall be provided at the following rates:
 94

VILLAGE OF SISTER BAY ZONING CODE

Percentage of Parking Lot to be Covered by Interior Plantings 49

| Total paved area of lot | Percent of total paved area which must be interior planting area |
|--------------------------|--|
| 0-49,999 sq. ft. | 5% |
| 50,000 sq. ft. or larger | 10% |

1

2 (d) Perimeter landscape area.

3 In an effort to prevent adjacent parking lots
4 from becoming one large expanse of pav-
5 ing, perimeter landscaping shall be re-
6 quired. The perimeter strip shall be a min-
7 imum five feet in width. A minimum of one
8 tree and five shrubs are required for every
9 35 linear feet of the perimeter of the park-
10 ing area and located within the perimeter
11 landscape area.

12 (e) Landscaping adjacent to buildings.

13 There shall be at least a three-foot land-
14 scape area provided between the edge of
15 pavement and the entrance elevation of the
16 building. In the B-3 district, the front yard
17 setback area shall be landscaped.

18 (f) Screening of trash.

19 Trash receptacles shall not be located with-
20 in the front or street yard, and shall be
21 screened from casual view by means of
22 screening that is compatible with the main
23 building/structure and landscaping.

24 (g) Screening of ground mounted mechanical
25 equipment.

26 Ground mounted mechanical equipment
27 shall not be located within the front or
28 street yard, shall be screened from casual
29 view by means of screening that is compat-
30 ible with the main building/structure and
31 landscaping.

32 (h) Screening of roof mounted mechanical
33 equipment.

34 Roof mounted mechanical equipment shall
35 be screened from casual view.

36 (i) Retaining walls.

37 No retaining wall shall exceed four feet in
38 height unless it has been designed and its
39 construction supervised by a Professional
40 Engineer or registered landscape architect.
41 A retaining wall may be stepped to achieve
42 greater height. Each step of the wall shall
43 be no more than four feet in height. A four-
44 foot high retaining wall shall be set back a
45 minimum of three feet from the previous
46 step. Retaining walls less than four feet tall
47 shall be stepped back at least the same dis-
48 tance as the wall's height. Acceptable ma-

materials for retaining walls are: segmental
masonry type, timber, railroad ties or con-
crete. If the retaining wall is constructed of
concrete, landscaping must accompany the
design of the retaining wall.

(j) Berms.

Side slopes of berms shall not exceed a
gradient of one foot vertical to three foot
horizontal unless approved by the Village
Engineer.

(k) Buffer yards.

Appropriate buffers shall be provided be-
tween dissimilar uses as set forth in section
66.0303(d) [See page 6] of the Municipal
Code.

(l) Submittal requirements.

A landscape plan (to scale) must be sub-
mitted which includes details of all pro-
posed landscaping, buffering and screen-
ing, including estimated cost of the land-
scaping. These plans shall be prepared by
a landscape professional and show the lo-
cation and dimensions of all existing and
proposed structures, parking, drives, rights-
of-way and any other permanent features,
and all other information required by the
Plan Commission, including but not lim-
ited to the following:

- (1) A plant list and coverage chart showing the location, quantity, size (at time of planting and at maturity), spacing and common names of all landscape materials used.
- (2) The location and type of existing trees over four inches in diameter (measured six inches above the ground) within the area to be developed.
- (3) The location and percent of slope of all proposed berms using one-foot contours.
- (4) Detailed sections showing elevations of all proposed architectural features, such as walls, lighting or water features.
- (5) The Plan Commission shall impose time schedules for the completion of buildings, parking areas, open space utilization, and landscaping. The Plan Commission may require appropriate sureties to guarantee that improvements will be completed on schedule; as well as the approved protection of the identified wetlands and woodlands on the approved plan.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1060 LANDSCAPING

SEC. 66.1060 LANDSCAPING

1 (m) Modification of standards.
2 The Plan Commission may modify any of
3 the above standards by a 3/4-majority vote
4 of the Commissioners, but only if supple-
5 mental design elements or improvements
6 are incorporated into the project, which
7 compensate for the modification of the par-
8 ticular standard.

9 (n) Compliance.
10 Landscaping shall be completed within 12
11 months of a certificate of occupancy in ac-
12 cordance with the approved landscaping
13 and site plan. All landscaped and open
14 space areas shall be continually main-
15 tained in accordance with the approved
16 landscaping and site plan. It is the respon-
17 sibility of the owner to ensure that the
18 premises are properly maintained. Mature
19 vegetative screens shall be maintained by
20 the property owner to retain the required
21 spacing and height characteristics. Howev-
22 er, trees may be thinned provided an
23 opaque screening is still maintained.
24

25 **Sec. 66.1065 Utilities in Rights of Way**

26 The Village finds compelling public interest in
27 protecting the public health, safety and welfare of
28 its residents and properties in ensuring that all
29 utilities are buried or located so as to mitigate
30 damage to nearby buildings, structures, vehicles,
31 as well as to reduce risks posed by storms which
32 threaten service interruption, traffic disruption,
33 and unsafe street conditions by being located in
34 the Village Right of Way, regardless of any utility
35 easement located thereon.

36 No Public or Private Utility or other person may
37 locate any pole, tower, or other equipment on the
38 Village Right of Way without first seeking a permit
39 from the Village of Sister Bay Zoning Administra-
40 tor. Location of Public Utilities shall be restricted
41 under the police powers reserved by the Village.

42 (a) Poles placed after April 1, 2016:

43 All Utility Poles located in the Village Right of
44 Way require a permit, for which a fee of \$50 shall
45 apply for each pole. Poles must not exceed a
46 height of 35 feet.

47 Poles exceeding 35 feet may be allowed by con-
48 ditional use permit. Plan Commission must hold
49 a public hearing for each proposed pole, with a
50 Class II notice being inserted into the paper of
51 record. All property owners within 1000 feet
52 shall also be mailed notice of the proposed condi-

53 tional use. The conditional use must be approved
54 with a 3/4 vote of the Plan Commission.

55 To be considered for a conditional use permit,
56 Poles exceeding 35 feet in height must have a set-
57 back of twice their height from any driveway, fire
58 hydrant, building or structure, mailbox, flower-
59 bed, flagpole, public or private parking space,
60 public or private parking lot, drainage cul-
61 vert, or catch basin.

62 The requester of the conditional use permit must
63 submit plans and specifications indicating to the
64 satisfaction of the Village's engineers that the pro-
65 posed pole can manage the load of wires, equip-
66 ment, or attachments proposed. No pole shall be
67 granted approval until after a review and approval
68 by the Village's engineers. No review of a permit
69 will begin until the requester has submitted all re-
70 quired documentation, and paid a plan review fee
71 of \$250.00, a Conditional Use Application fee of
72 \$400.00 plus a deposit of \$5000.00 to cover the
73 cost of engineering review.

74 No poles are permitted in the area depicted on
75 TID No. 1's boundary area. No poles are allowed
76 on any public or private streets created and initial-
77 ly improved after April 1, 2016.

78 The Village shall charge an inventory and safety
79 inspection fee of \$5.00 on every pole within its
80 incorporated boundaries in order to ensure their
81 safety, and to ensure that no non-permitted poles
82 are located in the Village Right of Way. This in-
83 spection will occur in even numbered years, and
84 companies shall be invoiced for the inspection at
85 their office of record. Poles will be marked with a
86 nailed metal placard with the Village's markings
87 to ensure that no new poles are installed without
88 a permit (Amended June 21, 2016).

89

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1060 LANDSCAPING

SEC. 66.1060 LANDSCAPING

1

VILLAGE OF SISTER BAY ZONING CODE

SECTION 1500 - ADMINISTRATION

1 Sec. 66.1500 Plan Commission

2 (a) Composition.

3 The Village Plan Commission shall consist
4 of the President, who shall be its presiding
5 officer, one (1) Trustee who shall be cho-
6 sen by the President at the first meeting in
7 May of each year, five (5) citizens of rec-
8 ognized experience and qualifications. The
9 citizen members of the Plan Commission
10 shall be appointed by the President, sub-
11 ject to confirmation by the Board of Trus-
12 tees, for staggered terms of three (3) years
13 commencing on May 1st of each year.
14 (Amended Ordinance 111-051005)

15 (b) Powers and Duties.

16 The Plan Commission shall perform such
17 duties as are prescribed by Section 62.23,
18 Wisconsin Statutes, and has such further
19 powers as may be delegated to it by the
20 Wisconsin Statutes and Village ordinances.
21 The Plan Commission shall have the duties
22 of making reports and recommendations
23 related to the planning and development of
24 the Village to public officials, agencies,
25 public utility companies, civic, education-
26 al, and professional and other organiza-
27 tions, and citizens. The Plan Commission
28 may employ consultants, to the extent that
29 the Village budget allows, who may pre-
30 pare surveys and studies, prepare plans
31 and recommendations, and perform other
32 duties assigned by the Plan Commission. In
33 general, the Plan Commission shall have
34 such powers as may be necessary to en-
35 able it to perform its function and promote
36 municipal planning.

37 Sec. 66.1505 Public Information

38 To the fullest extent possible, the Plan Commis-
39 sion and Zoning Administrator shall make availa-
40 ble to the public, all reports and documents con-
41 cerning the Village Comprehensive Plan and any
42 component thereof. In addition:

43 (a) All available information in the form of re-
44 ports, bulletins, maps and engineering data
45 shall be readily available and widely dis-
46 tributed.

47 (b) Where useful, marks on bridges or build-
48 ings or other markers may be set to show
49 the depth of inundation during the 100-
50 year recurrence interval floodplain at ap-
51 propriate locations within the floodplain.

52 (c) Where useful, wetland boundaries may be
53 staked in the field and said boundaries may
54 be identified on a plat of survey.

55 (d) Information regarding the location of flood
56 lands and wetlands shall be provided to
57 realtors, lenders, and the public. All legal
58 descriptions of property containing flood
59 lands or wetlands should include infor-
60 mation designating the flood land or wet-
61 land areas when property is transferred.

62 (e) Fees necessary to recover the costs of
63 providing information to the public may be
64 established by the Village.

65 Sec. 66.1510 Zoning Administrator Designat- 66 ed

67 The Village Zoning Administrator, or designee, is
68 hereby designated as the administrative and en-
69 forcement officer for the provisions of this chap-
70 ter. The duty of the Zoning Administrator, or de-
71 signee, shall be to interpret and administer this
72 chapter and to:

73 (a) Maintain permanent and current records of
74 all approvals and other actions, including,
75 but not limited to, all maps, zoning ordi-
76 nance amendments, zoning permits, condi-
77 tional use permits, planned unit develop-
78 ment approvals, temporary use approvals,
79 sign permits, site plans, certificates of
80 compliance, variances, appeals, interpreta-
81 tions, and applications therefore.

82 (b) Determine that all zoning permit applica-
83 tions and their constituent plans, certificate
84 of occupancy applications, sign permit ap-
85 plications and their constituent plans, and
86 site plans comply with all the provisions of
87 this chapter.

88 (c) Make interpretations regarding the provi-
89 sions of this chapter.

90 (d) Receive, file and forward (to the appropri-
91 ate person, committee or agency) all appli-
92 cations for any permit or procedure pro-
93 vided for in this chapter.

94 (e) Inspect all structures, lands and waters as
95 often as necessary, to assure compliance
96 with this chapter.

97 (f) Issue permits as required by this chapter.

98 (g) Record the lowest floor elevations of all
99 structures erected, moved, altered or im-
100 proved in the flood land districts.

101 (h) Investigate all complaints made relating to
102 the location of structures and the use of
103 structures, lands and waters, give notice of
104 all violations of this chapter to the owner,
105 resident, agent, or occupant of the premis-
106 es.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1520 DEVELOPMENT AGREEMENT REQUIRED.

SEC. 66.1525 TERMS OF DEVELOPMENT AGREEMENT.

- 1 (i) Is permitted access to premises and struc- 56
2 tures during reasonable hours to make 57
3 those inspections as deemed necessary by 58
4 the Zoning Administrator to ensure com- 59
5 pliance with this chapter. If, however, 60
6 he/she is refused entry after presentation of 61
7 his/her identification, he/she may procure a 62
8 special inspection warrant in accordance 63
9 with section 66.122 of the Wisconsin Stat- 64
10 utes. 65
- 11 (j) Prohibit the use or erection of any structure 66
12 until he/she has inspected and approved 67
13 such use or erection. 68
- 14 (k) Institute, in the name of the Village, any 69
15 appropriate action or proceeding against a 70
16 chapter violator, as provided by law. 71
- 17 (l) Request Assistance and cooperation from 72
18 the Door County Sheriff's Department and 73
19 Village Attorney as deemed necessary. 74
- 20 (m) Attend all meetings of the Plan Commis- 75
21 sion and the Village Zoning Board of Ap- 76
22 peals. 77

23 **Sec. 66.1520 Development Agreement Re-** 24 **quired.**

25 (Amended Ordinance 137-021208)

- 26 (a) The Applicant shall enter into a Develop- 82
27 ment Agreement with the Village at the 83
28 time of submission of an application for a 84
29 Zoning Permit for all projects and devel- 85
30 opments listed below: 86
- 31 (1) All new construction other than in- 87
32 dividual single-family homes, which 88
33 are not part of an active subdivision. 89
- 34 (2) All projects that require a condi- 90
35 tional use permit. 91
- 36 (3) Commercial projects in existing 92
37 buildings involving a change of use 93
38 or occupancy where the building is 94
39 non-conforming for setback, height 95
40 or parking. 96
- 41 (b) Applicants shall agree to reimburse the Vil- 97
42 lage for all costs incurred by the Village for 98
43 engineering, inspection, planning, legal 99
44 and administrative expenses in: 100
- 45 (1) Processing, reviewing, revising, and 101
46 approving conceptual, preliminary 102
47 or final development plans, includ- 103
48 ing meeting time, regardless of 104
49 whether the developer attended or 105
50 participated in the meeting; 106
- 51 (2) Processing, reviewing, revising, 107
52 drafting and approving any agree-
53 ments, easements, deed restrictions
54 or other documents associated with
55 the proposed use; and,

- (3) Inspection and approval of con-
struction and installation of all im-
provements provided for in the de-
velopment, including but not lim-
ited to, consultation reasonably re-
quired to address issues and prob-
lems encountered during the course
of design and construction of the
development. Such costs shall in-
clude the costs of Village consult-
ants, including engineers, attorneys,
inspectors, planners, ecologists,
agents, sub-contractors and the Vil-
lage's own employees. Such costs
shall also include those for attend-
ance at meetings. The cost for out-
side services shall be the direct
costs incurred by the Village. The
cost for Village employees' time
shall be based upon the classifica-
tion of the employee and the rates
established by the Village Board,
from time to time, for each such
classification.

- (c) At the time of filing of the application, the
Applicant shall deposit with the Village
Treasurer the sum of Two Thousand Dol-
lars (\$2,000.00) in the form of cash. The
Village shall apply such funds toward
payment of the above costs. If at any time
the deposit becomes insufficient to pay ex-
penses incurred by the Village for the
above costs, the Applicant shall deposit re-
quired additional amounts within fifteen
(15) days of written demand by the Village
Administrator. Until the required funds are
received, no additional work or review will
be performed by the Village as to the plan
under consideration. Within 60 days after
any final action by the Village and execu-
tion of any documents by all parties, or
upon abandonment of the plan, the Village
shall furnish the Applicant with a statement
of all such costs incurred by it with respect
to such plan. Any excess funds shall be
remitted to Applicant, and any costs in ex-
cess of such deposit shall be paid by the
Applicant. Any interest earned on the de-
posit shall re-main the property of the Vil-
lage to partially offset administrative ex-
penses associated with planning and de-
velopment.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1525 TERMS OF DEVELOPMENT AGREEMENT.

SEC. 66.1530 ZONING PERMIT REQUIRED

1 **Sec. 66.1525 Terms of Development Agree-**
2 **ment.**
3 The Development Agreement shall also include
4 the following terms and conditions: (Amended
5 Ordinance 137-021208)

6 (a) The site plan, grading plan, lighting plan,
7 stormwater management plan, landscaping
8 plan, building architectural plans, phasing
9 plan and such other requirements as estab-
10 lished by the Plan Commission.

11 (b) Any necessary streets and appurtenances
12 thereto, shall be constructed at the expense
13 of the Applicant in accordance with the
14 provisions of Chapter 54 of the Code of
15 Ordinances, which are in effect at the time
16 of such construction.

17 (c) Sanitary and water mains and laterals, and
18 storm water drainage facilities, and any re-
19 lated off-site improvements shall be paid
20 for, constructed and installed by Applicant
21 as required by the Village, the provisions of
22 Chapter 62 of the Code of Ordinances at
23 applicant's expense.

24 (d) Assignment of landscape maintenance res-
25 sponsibilities to the owner(s) of the proper-
26 ty in accordance with the submitted land-
27 scape plan and the ability of the Village to
28 conduct such work and charge all costs in-
29 curred by the Village as a special charge
30 against the real estate upon owner's failure
31 to maintain.

32 (e) Applicant shall agree to indemnify and
33 hold the Village and its agents harmless
34 from and against claims related to the per-
35 formance of work at or for the site.

36 (f) Applicant's principals shall be personally
37 responsible for reimbursement of costs to
38 the Village in the event the Applicant does
39 not proceed with the actual installation as
40 approved by the Village.

41 (g) Applicant shall be responsible for payment
42 of the Village's costs, disbursements and
43 attorney's fees in the event the Village
44 brings legal action to enforce compliance
45 with this agreement and a final determina-
46 tion is made in favor of the Village.

47 (h) The terms and conditions of the agreement
48 shall extend to the heirs, administrators,
49 successors in title and assigns of the appli-
50 cant, including personal liability. However,
51 Applicant may not assign its rights, duties
52 and responsibilities under this Agreement
53 to any other third party without first obtain-
54 ing the prior written consent of the Village.

55 (i) The Applicant shall convey all necessary
56 easements to the Village.

57 (j) As a condition precedent to the execution
58 of the Development Agreement, the Appli-
59 cant shall post a cash deposit or file a letter
60 of credit with the Village guaranteeing
61 compliance with the Village Ordinances
62 and provisions of the Development
63 Agreement. The security shall be such
64 amount as to cover 100% of the estimated
65 costs of storm water drainage, lot grading,
66 landscaping, and any street construction
67 work as provided for under the Develop-
68 ment Agreement. The estimated costs shall
69 be provided by the Applicant or his engi-
70 neer and shall be subject to the approval of
71 the Village.

72 (k) Other terms that the Village and Applicant
73 shall deem appropriate.

74 **Sec. 66.1530 Zoning Permit Required**

75 All zoning permits for new construction, recon-
76 struction and remodeling are issued under the
77 condition that such construction shall comply
78 with all applicable state and federal standards and
79 local building codes. No structure shall hereafter
80 be located, erected, moved, reconstructed, ex-
81 tended, enlarged, or structurally altered until after
82 the owner or his/her agent has secured a zoning
83 permit, if required, from the Zoning Administrator,
84 or his/her designee, unless otherwise exempted
85 pursuant to section 66.0501 [See page 92] of this
86 chapter. Applications for zoning permit shall be
87 made in duplicate to the Zoning Administrator on
88 forms furnished by the Zoning Administrator and
89 shall include the following where applicable:

- 90 (a) Name and address.
91 Name and addresses of the applicant,
92 owner of the site, architect, professional
93 engineer and contractor.
- 94 (b) Lot description.
95 Description of the subject site by lot, block
96 and recorded subdivision, or metes and
97 bounds; address of the subject site; type of
98 structure; existing and proposed operation
99 or use of the structure or site; number of
100 employees; and the zoning district within
101 which the subject site lies.
- 102 (c) Plat of survey.
103 Plat of survey prepared by a registered land
104 surveyor showing the following infor-
105 mation:
106 (1) Location of the lot referenced to the
107 U.S. Public Land Survey.
108 (2) North arrow and graphic scale.
109 (3) Dimensions of the lot.

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1530 ZONING PERMIT REQUIRED

SEC. 66.1530 ZONING PERMIT REQUIRED

- | | | | | | |
|----|------|---|-----|------|---|
| 1 | (4) | Street names of abutting streets and | 57 | (18) | The extent and elevation of flood- |
| 2 | | the name of the nearest intersecting | 58 | | plains and wetlands on the lot and |
| 3 | | street. | 59 | | within 40 feet of the lot. |
| 4 | (5) | The distance from the corner of the | 60 | (19) | Location of hydrants, streetlights |
| 5 | | lot to the nearest intersecting street. | 61 | | and street trees. |
| 6 | (6) | The widths of abutting streets, side- | 62 | (20) | If the property is in an area with a |
| 7 | | walks and alleys. | 63 | | master grading plan, the existing |
| 8 | (7) | Location of easements; their pur- | 64 | | and proposed grades of all corners |
| 9 | | pose and their width. | 65 | | of the lot and the grade of the struc- |
| 10 | (8) | Location and dimensions of all | 66 | | ture controlled by such master |
| 11 | | structures on the lot, both existing | 67 | | drainage plan. |
| 12 | | and proposed. | 68 | (21) | The seal and signature of the sur- |
| 13 | (9) | Existing lot grade and street grade, | 69 | | veyor. |
| 14 | | referenced to Village of Sister Bay | 70 | (d) | <u>Compliance with building codes.</u> |
| 15 | | datum. | 71 | | All construction and remodeling activity |
| 16 | (10) | Proposed lot grades and structure | 72 | | that requires building permits and inspec- |
| 17 | | grades, referenced to Village of Sis- | 73 | | tion shall comply with the Village and |
| 18 | | ter Bay datum. | 74 | | State building codes. All utilities including |
| 19 | (11) | A pre-construction grade elevation | 75 | | electric, telephone, cable television, water |
| 20 | | shall be submitted for all principal | 76 | | and sanitary sewers shall be buried for all |
| 21 | | buildings and structures. Existing el- | 77 | | new structures. Utilities shall also be bur- |
| 22 | | elevations, obtained by field observa- | 78 | | ied for remodeling projects where the val- |
| 23 | | tion, shall be provided to adequately | 79 | | ue of the project is in excess of 50% of the |
| 24 | | portray drainage patterns on and | 80 | | equalized value. (Amended Ordinance |
| 25 | | adjacent to the parcel for which the | 81 | | 134-121107) |
| 26 | | grading plan is submitted. Such ex- | 82 | (e) | <u>Setback and footing inspection and permit.</u> |
| 27 | | isting elevations shall include, at a | 83 | | The owner, tenant, contractor or agent |
| 28 | | minimum, a sufficiently tight grid | 84 | | shall notify the Zoning Administrator in |
| 29 | | pattern of elevations, existing grades | 85 | | writing or on forms provided by the Zoning |
| 30 | | at lot corners, at grade breaks, adja- | 86 | | Administrator 48 hours (excluding Satur- |
| 31 | | cent top of curbs, ground elevations | 87 | | days, Sundays and legal holidays) prior to |
| 32 | | at on-site and adjacent structure | 88 | | the pouring of footings so that the Zoning |
| 33 | | foundations, elevations at least 25 | 89 | | Administrator may inspect the location of |
| 34 | | feet outside the parcel alongside | 90 | | the footings for compliance with the set- |
| 35 | | and rear lot lines, ditch flow lines | 91 | | back provisions of this chapter and zoning |
| 36 | | and culverts where applicable, and | 92 | | permit. No footings shall be poured or oth- |
| 37 | | all storm runoff receiving structures | 93 | | erwise made permanent until such inspec- |
| 38 | | and drainage ways. In addition, | 94 | | tion and approval of the footings for com- |
| 39 | | cross-sections of the principal build- | 95 | | pliance with this chapter has been given by |
| 40 | | ing or structure shall be submitted | 96 | | the Zoning Administrator. The Zoning Ad- |
| 41 | | indicating the preconstruction grade | 97 | | ministrators shall conduct the setback and |
| 42 | | elevation, and the highest and low- | 98 | | footing inspection within 48 hours of being |
| 43 | | est finished grade elevations. | 99 | | notified. However, if it is shown for good |
| 44 | | (Amended Ordinance 164-120809) | 100 | | cause that the inspection cannot be made |
| 45 | (12) | Setbacks of structures on adjacent | 101 | | within the 48 hours, the inspection may be |
| 46 | | lots. | 102 | | delayed by the Zoning Administrator an |
| 47 | (13) | Existing and proposed driveway lo- | 103 | | additional 48 hours (excluding Saturdays, |
| 48 | | cations and widths. | 104 | | Sundays and legal holidays) upon verbal or |
| 49 | (14) | Existing and proposed street and | 105 | | written notification of the owner, tenant, |
| 50 | | highway access restrictions. | 106 | | contractor or agent by the Zoning Adminis- |
| 51 | (15) | Location of existing and proposed | 107 | | trator. Failure to provide the required no- |
| 52 | | parking and loading areas. | 108 | | tice to the Zoning Administrator or pouring |
| 53 | (16) | Type of monument at each corner | 109 | | of footings or otherwise making them per- |
| 54 | | of the lot. | 110 | | manent without the approval of the Zoning |
| 55 | (17) | Watercourses or existing drainage | 111 | | Administrator shall result in an immediate |
| 56 | | ditches. | | | |

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1530 ZONING PERMIT REQUIRED

SEC. 66.1530 ZONING PERMIT REQUIRED

- 1 penalty of \$500.00 in addition to the pro- 57
2 visions of section 66.1550. [See page 159] 58
3 (f) Waiver of some requirements. 59
4 In the sole discretion of the Zoning Admin- 60
5 istrator he/she may waive the requirements 61
6 for certain plans, specification, data, or the 62
7 plat of survey when the application is to 63
8 execute minor alterations or repairs to a 64
9 building or structure, provided that the 65
10 proposed construction, alteration, or repair 66 (n) No zoning permit shall be issued until the
11 is sufficiently described in the application 67 Village has investigated the fact that all
12 for the permit. 68 outstanding connection and development
13 (g) Proposed sewage disposal plan if municipi- 69 fees and special assessments levied against
14 al sewerage service is not available. 70 the property have been fully paid or an
15 This plan shall include a copy of the permit 71 agreement for payment to the Village by
16 issued by the appropriate regulatory agen- 72 the property owner has been executed.
17 cy for the installation of an on-site soil ab- 73 (o) Zoning permit for use expiration.
18 sorption sanitary sewage disposal system, 74 Regular zoning permits to establish a use
19 or other appropriate means of waste dis- 75 shall expire 24 months from the date of is-
20posal. 76 suance if no action has commenced to es-
21 (h) Proposed water supply plans if municipal 77 tablish the use. Any change of land use af-
22 water service is not available. 78 ter the expiration of a zoning permit shall
23 This plan shall be in accordance with 79 be considered a violation of this chapter.
24 chapter NR 112 of the Wisconsin Adminis- 80 (p) Zoning permit for construction expiration.
25 trative Code and shall be approved by the 81 Regular zoning permits for construction of
26 Village Engineer who shall certify in writ- 82 a structure shall expire 24 months from the
27 ing that an adequate and safe supply of 83 date of issuance or at the same time as the
28 water will be provided. 84 building permit. Any exterior construction
29 (i) Condominium declaration. 85 after the expiration of a zoning permit shall
30 Any developer of land in the Village who 86 be considered a violation of this chapter.
31 elects to create a condominium pursuant to 87 (q) A zoning permit shall be granted or denied
32 chapter 703 of the Wisconsin Statutes shall 88 in writing by the Zoning Administrator or
33 submit a copy of the Condominium Decla- 89 designee.
34 ration, and any amendment thereto, to the 90 (r) Grading Plan Review.
35 Zoning Administrator to be attached to the 91 A grading plan is an important element in
36 file copy of the Zoning Permit application. 92 preventing property damage, flooding and
37 (j) Estimate of the cost of completing the site 93 view vistas. A grading plan takes into ac-
38 plan improvements including, but not lim- 94 count the existing topography of the devel-
39 ited to, landscaping, paving, drainage facil- 95 opment and its relationship with adjacent
40 ities, sign installation, and lighting. 96 properties. Proper grading avoids the need
41 (k) Environmental Assessment. 97 for retaining walls, storm drainage systems,
42 The developer shall provide an evaluation 98 swales on the development and adjacent
43 of the site for wetlands, woodlands, ridges 99 properties. (Amended Ordinance 164-
44 or swales, natural landforms or other natu- 100 120809)
45 ral areas if so directed by the Zoning Ad- 101 (1) Building construction projects that
46 ministrator. 102 have less than a two-foot change in
47 (l) Additional information as may be required 103 elevation between the preconstruction
48 by the Plan Commission, Village Engineer, 104 grade and finished grade are
49 Zoning Administrator, Wastewater Superin- 105 not required to have engineering re-
50 tendent, or Fire Inspector. 106 view of the grading plan.
51 (m) No zoning permit shall be issued for the 107 (2) Building construction projects that
52 erection or construction of any building or 108 are not otherwise exempt shall have
53 structure on platted or unplatted land along 109 a grading plan prepared by a quali-
54 a public or private street with roadside 110 fied professional engineer. The pro-
55 ditches, unless the owner or agent has ar- 111 posed project shall comply with the
56 ranged, with the Village Engineer, for the 112 Village's Grading Standards as de-

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1531 ZONING PERMIT NOT REQUIRED

SEC. 66.1535 CONDITIONAL USE PERMIT

1 developed by the Village Engineer. A
2 zoning permit shall not be issued for
3 a project requiring a grading plan
4 until it is approved by the Village
5 Engineer.

6 **Sec. 66.1531 Zoning Permit Not Required**

7 No zoning permit shall be required for any of the
8 following activities; provided that any work that
9 does qualify for an exemption under this section
10 shall be required to comply with the applicable
11 setback, height, and other requirements set forth
12 in this chapter:

- 13 (a) Accessory structures shall require a regular
14 zoning permit except: minor structures
15 such as birdhouses, yard light poles, bird-
16 baths, doghouses (housing dogs which are
17 licensed as the personal pets of the resi-
18 dents of the property), tree houses, chil-
19 dren's play apparatus, home heating oil
20 storage tanks, clothesline poles, lawn or-
21 naments, flag poles, mailboxes, garbage
22 containers and ice fishing shanties. Acces-
23 sory buildings greater than 120 square feet
24 in area shall also require the issuance of a
25 building permit. (Amended Ordinance
26 120-061306)
- 27 (b) For repairs that do not alter the size or po-
28 sition of an existing structure on a lot.
29 (Amended Ordinance 120-061306)

30 **Sec. 66.1532 Certificates of Occupancy and** 31 **Compliance Required**

- 32 (a) Certificate of occupancy.
33 No vacant land shall be occupied or used;
34 and no building or premises shall be erect-
35 ed, altered, or create a change in use; and
36 no non-conforming use shall be changed,
37 or extended until a certificate of occupan-
38 cy has been issued by the Zoning Adminis-
39 trator or designee. Such certificate shall
40 show that the building, premises or part
41 thereof complies with the provisions of this
42 chapter. Such certificate shall be applied
43 for prior to the time of occupancy of any
44 land and/or building.
- 45 (b) Certificate of compliance.
46 No building located in a business district
47 and used for business purposes shall have
48 the use changed without the issuance of a
49 new certificate of compliance by the Zon-
50 ing Administrator or designee. Such certi-
51 ficate shall show that the building or prem-
52 ises or part thereof is in compliance with
53 the provisions of the Zoning Code, Build-
54 ing Code, Electrical Code, Fire Prevention

55 Code and the Plumbing Code of the Vil-
56 lage and State of Wisconsin. Application
57 for a certificate of compliance shall be
58 made in the same manner as for a zoning
59 permit pursuant to section 66.1530 [See
60 page 153] of this chapter.

61 **Sec. 66.1535 Conditional Use Permit**

62 Note: This section was amended in its entirety by
63 Ordinance 173-081010)

64 The Village Board may authorize the Zoning Ad-
65 ministrator to issue a conditional use permit for a
66 conditional use after a review and recommenda-
67 tion by the Plan Commission. The request for a
68 permit for a conditional use shall be filed with the
69 Zoning Administrator on an official application
70 form and shall be accompanied by the required
71 fee and detailed written and graphic materials ful-
72 ly explaining the proposed development. The ap-
73 plicant shall explain in writing why a conditional
74 use permit should be issued addressing the criteria
75 in subsection (i) below. A public hearing shall be
76 conducted by the Plan Commission.

- 77 (a) Applicant.
78 Names and addresses of the applicant,
79 owner of the site, architect, professional
80 engineer, contractor and all opposite and
81 abutting property owners of record.
- 82 (b) Project Description.
83 Description of the subject site by lot,
84 block, and recorded subdivision or by
85 metes and bounds; address of the subject
86 site; type of structure; proposed operation
87 or use of the structure or site; number of
88 employees; and the zoning district within
89 which the subject site is located.
- 90 (c) Plat of Survey.
91 Plat of survey prepared by a registered land
92 surveyor showing all of the information re-
93 quired under section 66.1530(c) for a zon-
94 ing permit and, in addition, the ordinary
95 high water mark, and existing and pro-
96 posed landscaping.
- 97 (d) Additional Information Required.
98 Additional information as may be required
99 by the Plan Commission, Village Engineer,
100 Zoning Administrator, Utility Manager or
101 Fire Inspector.
- 102 (e) Conditional Uses Will be Reviewed as to
103 Intent.
104 A conditional use is development, which
105 would not generally be appropriate within
106 a district, but might be allowed in certain
107 locations within the district, if specific re-
108 quirements are met. The compatibility
109 must be judged on the basis of the particu-
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VILLAGE OF SISTER BAY ZONING CODE

1 lar circumstances and may require the im- 57
2 posing of conditions before the use, devel- 58
3 opment or occupancy is permitted. The in- 59
4 tent is to allow a reasonable degree of dis- 60
5 cretion to the Plan Commission in deter- 61
6 mining the suitability of a particular use or 62
7 development at a specific location. 63
8 (f) Plan Commission Action. 64
9 The Plan Commission is empowered to 65
10 recommend a development agreement for 66
11 a conditional use if the following require- 67
12 ments are met. Uses, which require such a 68
13 permit, are identified in the respective dis- 69
14 trict regulations. The Plan Commission 70
15 may make such recommendation as it 71
16 deems appropriate regarding approval of 72
17 the request. The Board of Trustees shall 73
18 approve or deny all conditional use per- 74
19 mits and related development agreements 75
20 as submitted. 76
21 (g) Conditions. 77
22 Conditions related to landscaping, archi- 78
23 tectural design, type of construction, con- 79
24 struction commencement and completion 80
25 dates, sureties, lighting, fencing, operation- 81
26 al control, hours of operation, traffic circu- 82
27 lation, deed restrictions, access restrictions, 83
28 setbacks and yards, sewerage disposal, wa- 84
29 ter supply, storm water management and 85
30 parking requirements may be required by 86
31 the Village Plan Commission upon its find- 87
32 ing that such conditions are necessary to 88
33 fulfill the purposes and intent of this chap- 89
34 ter. 90
35 (h) Issuance and Safeguards. 91
36 If a development agreement is required, 92
37 the permit for a conditional use shall be 93
38 part of the development agreement, and 94
39 shall be attached thereto. In recommend- 95
40 ing any conditional use, the Plan Commis- 96
41 sion may prescribe appropriate conditions 97
42 and safeguards in conformity with this 98
43 chapter. The Plan Commission may request 99
44 that the Village be provided with either a 100
45 surety bond, cash escrow, certificate of de- 101
46 posit, securities, or cash deposit prior to is- 102
47 suance of the conditional use permit. The 103
48 security shall be used to guarantee compli- 104
49 ance with the conditions of the permit and 105
50 shall be returned to the developer when an 106
51 occupancy permit is issued. 107
52 (i) Decision Criteria. 108
53 In making a determination on an applica- 109
54 tion for a conditional use, the Plan Com- 110
55 mission shall consider all relevant factors 111
56 specified in other sections of this chapter 112

including standards for specific require-
ments for certain land uses and activities.
The Plan Commission shall consider the
following criteria:

- (1) **Compatibility.**
The compatibility of the proposed use with existing development within 300 feet of the proposed use and within 500 feet along the same street and development anticipated in the foreseeable future within the neighborhood and conditions, which would make the use more compatible. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.
- (2) **Consistency with the Comprehensive Plan.**
The relationship of the proposed use to the objectives of the Village of Sister Bay comprehensive plan. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (3) **Importance of Services to the Community.**
The importance of the services provided by the proposed use to the community, if any, and the requirements of the use for certain locations, if any, and without undue inconvenience to the developer and the availability of alternative locations equally suitable.
- (4) **Neighborhood Protections.**
The sufficiency of the terms and conditions proposed to protect and maintain the uses in the surrounding neighborhood. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish and impair property values within the surrounding area.
- (5) **Conformance with other Requirements of the Chapter.**
The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located and the Plan

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1535 CONDITIONAL USE PERMIT

SEC. 66.1535 CONDITIONAL USE PERMIT

1 Commission shall find that there is a
2 public necessity for the conditional
3 use.
4 (j) Other Factors.
5 Other factors pertinent to the proposed
6 use, site conditions or surrounding area
7 considerations, which the Plan Commis-
8 sion feels, are necessary for review in order
9 to make an informed and just decision.
10 (k) Public Hearing.
11 Whenever a conditional use permit is re-
12 quested and the required public hearing is
13 scheduled and noticed by the Village as a
14 Class 2 notice, the Village shall give no-
15 tice, by regular mail, of the proposed con-
16 ditional use to all property owners whose
17 property lies within 300 feet measured in a
18 straight line from the exterior boundary of
19 the property subject to the proposed condi-
20 tional use permit. The notice shall be
21 mailed at least ten days prior to the hear-
22 ing; however, failure of a neighboring
23 property owner to receive such mailed no-
24 tice shall not invalidate a public hearing. If
25 action is delayed more than 120 days from
26 the date of public hearing, a new public
27 hearing shall take place. In addition to the
28 notification requirements listed above, ap-
29 plicant shall post signage visible to every
30 facing street at least ten days prior to the
31 hearing. The signage shall identify the
32 property as being the subject of a public
33 hearing and identify the appropriate Vil-
34 lage office that may be contacted for in-
35 formation.
36 (l) Resubmissions.
37 A conditional use permit application that
38 has been heard and denied shall be eligi-
39 ble to be resubmitted only if the applicant
40 submits an affidavit to the Plan Commis-
41 sion identifying how the new application
42 materially differs from the previous appli-
43 cation or identifying substantial new evi-
44 dence that will be offered. The Plan Com-
45 mission shall review the affidavit and then
46 vote by simple majority of the members
47 present on the question of whether the
48 changes or new evidence would be of such
49 significance that the Plan Commission may
50 consider changing the previous decision. If
51 the resubmission is accepted, the Plan
52 Commission shall schedule a hearing on
53 the entire resubmitted application. If the
54 Plan Commission rejects the resubmitted
55 application, a new application shall not be
56 submitted during the following 12 months.

57 (m) Notice to DNR.
58 The Plan Commission shall transmit a copy
59 of each application for a wetland condi-
60 tional use in the W-1 district to the Wis-
61 consin Department of Natural Resources
62 (DNR) by certified mail at least ten days
63 prior to the public hearing. Final action on
64 the application by the Village Board shall
65 not be taken for 30 days from the date the
66 DNR receives notice of public hearing by
67 certified mail or until the DNR has made
68 its recommendation, whichever comes
69 first. A copy of all wetland conditional use
70 decisions shall be transmitted to the DNR
71 within ten days following the decision.
72 (n) Conditional Use for Use Expiration.
73 Conditional use permits to establish a use
74 shall expire 12 months from the date of is-
75 suance if no action has commenced to es-
76 tablish the use, unless a different time is es-
77 tablished as a condition of granting the
78 conditional use permit. Any change of land
79 use after the expiration of a conditional use
80 permit shall be considered a violation of
81 this chapter.
82 (o) Conditional Use for Construction Expira-
83 tion
84 Conditional use permits for construction of
85 a structure shall expire 12 months from the
86 date of issuance, unless a different time pe-
87 riod is established as a condition of grant-
88 ing the conditional use permit. Any exteri-
89 or construction after the expiration of a
90 conditional use permit shall be considered
91 a violation of this chapter and shall warrant
92 consideration for revocation of the Condi-
93 tional Use permit in accordance with sec-
94 tion 66.1535(l) of this chapter.
95 (p) Amendments.
96 Changes subsequent to the initial issuance
97 of a conditional use permit, which would
98 substantially affect the conditions listed in
99 section 66.1535(e) of this chapter, shall re-
100 quire an amendment to the conditional use
101 permit. The process for amending a permit
102 shall generally follow the same procedures
103 as those required for granting a conditional
104 use permit as set forth in this section.
105 (q) Revocation of Conditional Use Permit.
106 Should a permit applicant, his/her heirs or
107 assigns, fail to comply with the conditions
108 of the permit issued by the Zoning Admin-
109 istrator or should the use or characteristics
110 of the use be changed without prior ap-
111 proval by the Village Board, the Condi-
112 tional Use Permit may be revoked. The

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1540 OTHER PERMITS

SEC. 66.1575 RENEWAL OF PERMITS

1 process for revoking a permit shall general-
2 ly follow the same procedures as those re-
3 quired for granting a conditional use per-
4 mit as set forth in this section.

5 (r) Existing Conditional Uses.

6 All uses existing on the effective date of
7 this chapter, which would be classified as
8 conditional uses in the particular districts
9 concerned, if they were to be established
10 after the effective date of this chapter, are
11 hereby declared conforming conditional
12 uses. Any proposed change or expansion,
13 including signage and parking, of the exist-
14 ing operation shall be subject to the condi-
15 tional use procedures and regulations in
16 this section, as if such use was being newly
17 established.

18 **Sec. 66.1540 Other Permits**

19 It is the responsibility of the permit applicant to
20 secure all other necessary permits required by any
21 state, federal, or county agency. This includes, but
22 is not limited to, a water use permit pursuant to
23 Chapter 30 of the Wisconsin Statutes, a water
24 quality certification pursuant to Chapter NR 103
25 of the Wisconsin Administrative Code, or a wet-
26 land fill permit pursuant to section 404 of the
27 Federal Water Pollution Act.

28 **Sec. 66.1545 Permit Fees**

29 All persons, firms, or corporations performing
30 work, which by this chapter requires the issuance
31 of a permit, shall pay a fee for such permit to the
32 Village Clerk to help defray the cost of administra-
33 tion, investigation, advertising, and processing of
34 permits and variances. The permits for which a
35 fee is required are the Building Permit, Certificate
36 of Occupancy, Conditional Use Permit and Sign
37 Permit. A fee shall also be required for a zoning
38 text or map amendment, and zoning appeal or
39 variance. The fees shall be set forth in the Munic-
40 ipal Code of the Village, or by resolution as
41 amended from time to time.

42 **Sec. 66.1550 Violations**

43 It shall be unlawful to construct or use any struc-
44 ture, land or water in violation of any of the provi-
45 sions of this chapter. Failure to secure the neces-
46 sary permits prior to commencing construction
47 shall also constitute a violation. In case of any
48 violation, the Village Board, the Zoning Adminis-
49 trator, the Plan Commission or any property own-
50 er who would be specifically damaged by such
51 violation may institute appropriate action or pro-
52 ceedings to enjoin or abate a violation of this
53 chapter.

54 **Sec. 66.1560 Remedial Action**

55 Whenever an order of the Zoning Administrator
56 has not been complied with within 30 days after
57 written notice has been mailed to the owner, resi-
58 dent agent, or occupant of the premises, the Vil-
59 lage Board, the Plan Commission, the Zoning
60 Administrator, or the Village Attorney may insti-
61 tute appropriate legal action or proceedings to
62 prohibit such owner, agent, or occupant from us-
63 ing such structure, land, or water; and to cause to
64 remove such structure or use.

65 **Sec. 66.1570 Penalties**

66 Penalties for violation of the provisions of this
67 chapter shall be in accordance with the provisions
68 of the Municipal Code.

69 **Sec. 66.1575 Renewal of Permits**

70 If construction has commenced prior to the expi-
71 ration of a regular zoning permit, but is not com-
72 pleted prior to such expiration, a 12-month re-
73 newal regular zoning permit shall be issued by the
74 zoning administrator upon submittal of a renewal
75 application and fee. Additional renewals shall be
76 granted by the zoning administrator upon a find-
77 ing that substantial progress had been made dur-
78 ing the previous year toward completion of the
79 structure. If a 12-month period passes without evi-
80 dence of substantial progress towards comple-
81 tion, the zoning administrator shall advise the
82 Plan Commission of such fact and the Plan Com-
83 mission may call a public hearing on the matter
84 and may impose a completion schedule. A struc-
85 ture shall be deemed completed when the roof,
86 exterior walls, doors, windows and sub-floors are
87 in place and finished and utility connections have
88 been made and required landscaping and site im-
89 provements have been made.

90

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.1575 RENEWAL OF PERMITS

SEC. 66.1575 RENEWAL OF PERMITS

1

VILLAGE OF SISTER BAY ZONING CODE

1600 - ZONING BOARD OF APPEALS

1 **Sec. 66.1601 Establishment**

2 There is hereby established a Zoning Board Ap-
3 peals for the Village for the purpose of hearing
4 appeals and applications, and for granting vari-
5 ances and exceptions to the provisions of this
6 Zoning Code. The Zoning Board of Appeals shall
7 consist of five members plus two alternates ap-
8 pointed by the Village President and confirmed by
9 the Village Board.

10 **Sec. 66.1602 Organization**

11 The Zoning Board of Appeals shall organize and
12 adopt rules of procedure for its own governance
13 in accordance with the provisions of the Municip-
14 al Code of the Village and this chapter.

15 (a) Meetings.

16 Meetings shall be held at the call of the
17 chairperson and shall be open to the pub-
18 lic.

19 (b) Minutes.

20 Written minutes of the proceedings and a
21 record of all actions shall be kept by the
22 Zoning Administrator, or other designated
23 person, showing the vote of each member
24 upon each question, the reasons for the
25 Board's determination, and its finding of
26 facts. These records shall be immediately
27 filed in the office of the Village Clerk and
28 shall be a public record.

29 (c) Voting.

30 The concurring vote of four members of
31 the Board shall be necessary to reverse any
32 order, requirement, decision or determina-
33 tion of any administrative official; grant a
34 variance; or make an interpretation.

35 **Sec. 66.1603 Powers**

36 The Zoning Board of Appeals shall have the fol-
37 lowing powers:

38 (a) Errors:

39 To hear and decide appeals when it is al-
40 leged there is error in any order, require-
41 ment, decision or determination made by
42 any administrative official in the enforce-
43 ment of this chapter.

44 (b) Variances:

45 To hear and grant appeals for area vari-
46 ances as will not be contrary to the public
47 interest, when, owing to special condi-
48 tions, a literal enforcement will result in
49 practical difficulty or unnecessary hard-
50 ship, so that the spirit and purposes of this

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69 **Sec. 66.1604 Appeals and Applications**

70 Appeals of the decision of the Zoning Administra-
71 tor or any administrative official concerning the
72 literal enforcement of this chapter may be made
73 by any person aggrieved or by any officer, de-
74 partment or board of the Village. Such appeals
75 shall be filed with the Village Clerk within 30
76 days after the filing of the decision or order of the
77 Zoning Administrator or any administrative offi-
78 cial. Applications may be made by the owner or
79 lessee of the structure, land or water to be affected
80 at any time and shall be filed with the Village
81 Clerk. Such appeals and applications shall include
82 the following:

83 (a) Name and address of the appellant or ap-
84 plicant and all abutting and opposite prop-
85 erty owners of record.

86 (b) Plat of survey prepared by a registered land
87 surveyor showing all of the information re-
88 quired under section 66.1530(c) [See page
89 153] for a Zoning Permit when required by
90 the Zoning Administrator or a
91 firm/individual designated by the Village or
92 a sketch drawn to a recognized map scale
93 may be submitted.

94 (c) Additional information required by the
95 Plan Commission, Village Engineer, Zoning
96 Board of Appeals, or Zoning Administrator.

97 (d) A filing fee, as set forth in the Municipal
98 Code, shall be submitted with the applica-
99 tion.

100 **Sec. 66.1605 Hearings**

101 The Zoning Board of Appeals shall fix a reasona-
102 ble time and place for the hearing, shall give pub-
103 lic notice thereof as specified in section
104 66.1301(a) [See page 166] of this chapter, and

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1 shall give due notice to the parties in interest, and
2 the Zoning Administrator. At the hearing, the ap-
3 pellant may appear in person, by agent, or by at-
4 torney.

5 **Sec. 66.1606 Notice to DNR**

6 The Zoning Board of Appeals shall transmit a
7 copy of each application for an area variance to
8 regulations of the W-1 district to the Wisconsin
9 Department of Natural Resources (DNR) by certi-
10 fied mail at least ten day prior to the public hear-
11 ing. Copies of appeals in the W-1 district shall al-
12 so be submitted to the DNR by certified mail at
13 least ten days prior to any public hearing. Final
14 action on the variance application or appeal shall
15 not be taken for 30 days or until the DNR has
16 made its recommendation, whichever comes first.
17 A copy of all decisions relating to variances to
18 conservancy district regulations or to floodland
19 regulations, and a copy of all decisions to con-
20 servancy district and floodland district appeals,
21 shall be transmitted to the DNR within ten days
22 following the date of such decision.

23 **Sec. 66.1607 Findings**

24 No area variance to the provisions of this chapter
25 shall be granted by the Board unless it finds by a
26 preponderance of the evidence that all the follow-
27 ing facts and conditions exist and so indicates
28 such in the minutes of its proceedings.

- 29 (a) Preservation of intent.
30 No area variance shall be granted that is
31 not consistent with the purpose and intent
32 of the regulations for the district in which
33 the development is located.
- 34 (b) Exceptional circumstances.
35 There must be unique circumstances or
36 conditions applying to the lot or parcel or
37 structure that do not apply generally to
38 other properties or uses in the same zoning
39 classification within 1,000 feet of the sub-
40 ject property and the granting of the area
41 variance should not be of so general or re-
42 current nature as to suggest that the zoning
43 chapter should be changed.
- 44 (c) Hardship.
45 Economic hardship and self-imposed hard-
46 ship are not grounds for an area variance:
47 No area variance shall be granted solely
48 based on economic gain or loss. The hard-
49 ship must be based upon conditions
50 unique to the property rather than consid-
51 erations personal to the owner.
- 52 (d) Preservation of property rights.
53 The variance must be necessary for the
54 preservation and enjoyment of substantial

55 property rights possessed by other proper-
56 ties in the same zoning district and same
57 vicinity.

- 58 (e) Absence of detriment.
59 No area variance shall be granted that will
60 create substantial detriment to adjacent
61 property or that will materially impair or be
62 contrary to the purpose and spirit of this
63 chapter or the public interest.
- 64 (f) Additional requirements in wetland district.
65 No variance shall be granted where:
66 (1) Filling and development contrary to
67 the purpose and intent of the W-1
68 district would result.
69 (2) A change in the boundaries of the
70 any wetland district would result.
71 (3) Any action contrary to the provi-
72 sions of chapter NR 116 or chapter
73 NR 166 of the Wisconsin Adminis-
74 trative Code would result.

75 **Sec. 66.1608 Wetland Mapping Disputes**

76 Whenever the Board of Appeals is asked to inter-
77 pret a W-1 district boundary where an apparent
78 discrepancy exists between the Village's Final
79 Wetland Inventory Map and actual field condi-
80 tions, the Village shall contact the Wisconsin De-
81 partment of Natural Resources (DNR) to deter-
82 mine if the wetland inventory map is in error. If
83 the DNR staff concurs that the particular area was
84 incorrectly mapped as a wetland, the Board of
85 Appeals shall direct the Plan Commission to initi-
86 ate appropriate action to rezone the property
87 within a reasonable amount of time. If the DNR
88 staff does not concur that the particular area is in-
89 correctly mapped, the Zoning Board of Appeals
90 shall affirm the Zoning Administrator's interpreta-
91 tion.

92 **Sec. 66.1609 Decision**

93 The Zoning Board of Appeals shall decide all ap-
94 pears and applications within a reasonable period
95 of time after the public hearing and shall transmit
96 a signed copy of the Board's decision to the ap-
97 pellant or applicant, Zoning Administrator, and
98 Plan Commission.

- 99 (a) Modifications or additions to any condition
100 attached to a permit may be made by the
101 Zoning Board of Appeals, which shall be
102 enforced by the Zoning Administrator.
- 103 (b) Variances granted by the Board, relating to
104 the commencement of construction of a
105 building or structure, shall expire within a
106 period of time established by the Board,
107 but in no case shall such period exceed 12
108 months unless substantial work has com-

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1 menced pursuant to such variance as de-
2 termined by the Zoning Administrator. If
3 the variance expires, it is invalid and the
4 applicant must reapply for a variance.

5 **Sec. 66.1610 Review by Court of Record**

6 Any person or persons, jointly or severally ag-
7 grieved by any decision of the Zoning Board of
8 Appeals, or any taxpayer, or any officer, depart-
9 ment, or board of the Village may, within 30 days
10 after the filing of the decision in the office of the
11 Zoning Board of Appeals, commence an action
12 seeking the remedy available by certiorari.

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SECTION 1700 - CHANGES AND AMENDMENTS

1 **Sec. 66.1701 Authority**

2 The Village Board may, by Ordinance, change the
3 district boundaries or amend, change, or supple-
4 ment the regulations established by this chapter or
5 amendments thereto.

6 **Sec. 66.1702 Initiation**

7 A change or amendment may be initiated by the
8 Village Board or Plan Commission or by an appli-
9 cation of one or more of the owners, lessees or
10 contract purchasers of the property subject to the
11 proposed change.

12 **Sec. 66.1703 Applications**

13 Applications for any change to the district bound-
14 aries or amendments to the regulations shall be
15 filed with the Zoning Administrator, and shall
16 contain a legal description of the premises to be
17 rezoned or the regulations to be amended. If the
18 application is submitted by a contract purchaser,
19 a copy of the offer to purchase shall be included
20 with the application. The application shall list the
21 reasons, which justify the application, and specify
22 the proposed use, or provide the proposed
23 amended wording in the regulation.

24 **Sec. 66.1704 Review and Recommendations**

25 The Plan Commission shall review all proposed
26 changes and amendments within the corporate
27 limits and shall recommend that the petition be
28 granted as requested, modified and granted, or
29 denied.

30 **Sec. 66.1705 Hearings**

31 The Plan Commission shall hold a public hearing
32 upon each application giving public notice there-
33 of as specified in section 66.1801 [See page 166]
34 of this chapter, listing the time, place and the
35 changes of amendments proposed. The Plan
36 Commission shall also give at least ten days' prior
37 written notice to the clerk of any municipality
38 within 1,000 feet of any land to be affected by the
39 proposed change or amendment. (Amended Or-
40 dinance 117-041806).

41 **Sec. 66.1706 Village Board's Action**

42 As soon as possible after such public hearing, and
43 after careful consideration of the Plan Commis-
44 sion's recommendations, the Village Board shall
45 act on the application approving, either modifying
46 and approving, or disapproving of the same.

47 **Sec. 66.1708 Wetland Amendments**

48 (a) Notice to DNR.

49 The Village shall transmit a notice of any
50 proposed change (text or map) in the W-1
51 district to the Wisconsin Department of
52 Natural Resources (DNR). Notice require-
53 ments shall be as follows:

- 54 (1) A copy of every application for a
55 text or map change shall be mailed
56 within five days of filing with the
57 Zoning Administrator.
- 58 (2) At least ten days prior notice of any
59 public hearing on a wetland zoning
60 amendment shall be provided.
- 61 (3) Notice of a Plan Commission rec-
62 ommendation no later than ten days
63 following the recommendation shall
64 be provided.
- 65 (4) Notice of a Village Board decision
66 no later than ten days following the
67 decision shall be provided.

68 (b) Review standards.

69 No wetland in the W-1 district shall be re-
70 zoned if the rezoning results in a signifi-
71 cant adverse impact on storm or floodwa-
72 ter storage capacity; maintenance of dry
73 season stream flow, the discharge of
74 groundwater from the wetland to another
75 area, or the flow of groundwater through a
76 wetland; filtering or storage of sediments,
77 nutrients, heavy metals, or organic com-
78 pounds that would otherwise drain into
79 navigable waters; shoreline protection
80 against soil erosion; fish spawning, breed-
81 ing, nursery or feeding grounds; wildlife;
82 habitat; or areas of special recreational,
83 scenic or scientific interest, including
84 scarce wetland types.

85 (c) DNR objections.

86 If the DNR has notified the Plan Commis-
87 sion that an amendment to the W-1 district
88 may have a significant adverse impact up-
89 on any of the criteria listed in subsection
90 (b) above, that amendment, if approved by
91 the Village Board, shall not take effect until
92 more than 30 days have elapsed since writ-
93 ten notice of the Village Board's approval
94 of this amendment was mailed to the De-
95 partment of Natural Resources. During that
96 30-day period, the Department of Natural
97 Resources may notify the Village Board
98 that it will adopt a superseding shoreland
99 ordinance for the Village pursuant to sec-
100 tion 62.231 of the Wisconsin Statutes. If
101 the Department does so notify the Village
102 Board, the effect of this amendment shall

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1 be stayed until the section 62.231 adoption
2 procedure is completed or otherwise ter-
3 minated.

4 **Sec. 66.1709 Protest**

5 In the event of a protest against a district change
6 duly signed and acknowledged by the owners of
7 20 percent or more, either of the areas of the land
8 included in such proposed change, or by the
9 owners of 20 percent or more of the land imme-
10 diately adjacent extending 100 feet there from, or
11 by the owners of 20 percent or more of the land
12 directly opposite thereto extending 100 feet from
13 the street frontage of such opposite land, such
14 changes or amendments shall not become effec-
15 tive except by the favorable vote of three-fourths
16 (3/4) of the Village Board membership of the pro-
17 posed change.

18 **Sec. 66.1710 Map and Text Amendments**

19 This section contains a chronological record of
20 changes to the Zoning District map, Official Map
21 or the text of the Zoning Code. It also contains a
22 chronological listing of all conditional use per-
23 mits.

24 July 13, 2004: Ordinance 102 changing the com-
25 position of the Plan Commission to five members,
26 Superseded by later revisions.

27 November 9, 2004: Ordinance 102 adopted the
28 revised Zoning Code as a major update.

29 May 10, 2005: Ordinance 111 changed the com-
30 position of the Plan Commission back to seven
31 members. 66.1500.(a).

32 October 25, 2005: Ordinance 112 added pier
33 permits and dock construction standards 66.1020.

34 April 18, 2006: Ordinance 116 changing the zon-
35 ing on three parcels of land from R-1 to R-2.

36 April 18, 2006: Ordinance 117 amending seven
37 different sections of the code. 66.0323(a)(25),
38 66.0323(a)(38), 66.0322(a)(37), 66.0501(b)(5),
39 66.0501(a)(4), 66.0710(b), 66.1205.

40 June 13, 2006: Ordinance 120 amending 18 dif-
41 ferent sections of the code 66.0307-.0310,
42 66.0322(e)(7), 66.0322(i)(6), 66.0404,
43 66.0331(a)(5), 66.0331(a)(5), 66.0342(d),
44 66.0403(j)(2)(d), 66.0403(j)(2)(l), 66.0406(d),
45 66.0706(b), 66.1530(d), 66.1531, 66.1050(a)(14),
46 66.2100, 66.0716(c)(5), 66.0704(f),
47 66.0403(j)((1)(b)(2), 66.0708(c).

48 October 10, 2006: Ordinance 122 changing the
49 zoning for a parcel on North Woods Road from R-
50 1 to B-1.

51 May 14, 2007: Ordinance 126 creating 66.1035
52 establishing street names and repealing
53 66.0704(c)

54 June 12, 2007: Ordinance 128 amending sections
55 66.1050(a)(16(b), 66.0403(j), 66.0320(b)(3),
56 66.0320(a)(76), 66.0320(c)(24), 66.0403(j)(6)(a)

57 July 10, 2007: Ordinance 130 amending sections
58 66.0404(g), 66.0320(c)(25), 66.0320(g)(6)

59 July 10, 2007: Ordinance 131 amending the en-
60 tire sign chapter 66.0701-.0718

61 December 11, 2007: Ordinance 134 amending
62 sections 66.1050, 66.0702, 66.1530 and 66.0501
63 regarding propane tanks and fire hydrant place-
64 ment.

65 February 12, 2008: Ordinance 137 amending R-4
66 Standards and development agreements
67 66.0310(E)(2), 66.0310(G), 66.0314, 66.1510.1,
68 66.1510.2

69 August 12, 2008: Ordinance 141 Amending
70 Chapter 66 of the Municipal Code Regarding Ar-
71 chitectural Standards 66.0310(G)(5)

72 August 12, 2008: Ordinance 143 Amending Sec-
73 tion 66.0302(b)(8) the Zoning Code regarding
74 business activities during festivals.

75 August 12, 2008: Ordinance 144 Amending Sec-
76 tion 66.0501(a)(7) the Zoning Code permitting
77 utility service to accessory buildings.

78 November 4, 2008: Ordinance 146 Amending
79 Chapter 66 regarding accessory building setbacks
80 and sandwich board special event signage sec-
81 tions 66.0501(b) and 66.0710.

82 May 04, 2009: Ordinance 150 Amending Section
83 66.0331(a)(b) Chapter 66 regarding farm markets,
84 garden plots and the definition of farm market.

85 July 14, 2009: Ordinance 154 amending chapter
86 66 of the municipal code regarding on premise
87 signs §66.0704, adjustments to required parking
88 §66.0404, parking requirements §66.0403, fire
89 and explosive hazards fireworks §66.0803 and re-
90 zoning the former Helms Four Season resort prop-
91 erty to P-1.

92 July 14, 2009: Ordinance 154 rezoning the former
93 Helms Four Season resort property to P-1.

94 December 8, 2009: Ordinance 157 Amending
95 Chapter 66 of the Municipal Code Regarding Sec-
96 tion 66.0404 Regarding Parking Exemptions.

97 December 8, 2009: Ordinance 158 Amending
98 Chapter 66 of the Municipal Code Regarding Sec-
99 tion 66.0323 Regarding B-3 Professional Offices.

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- 1 December 8, 2009: Ordinance 159 Amending
2 Chapter 66 of the Municipal Code Regarding
3 Open Space.
- 4 December 8, 2009: Ordinance 160 Amending
5 Chapter 66 of the Municipal Code Regarding Sec-
6 tion 66.0322 B-2 and 66.0323 B-3 Districts Re-
7 garding Building Heights.
- 8 December 8, 2009: Ordinance 161 Amending
9 Chapter 66 of the Municipal Code Regarding Sec-
10 tions 66.0322 and 66.00323 Regarding Building
11 Side Setbacks in the B-2 and B-3 Districts.
- 12 December 8, 2009: Ordinance 164 Amending
13 Chapter 66 of the Municipal Code Regarding Sec-
14 tion 66.1530 Regarding Zoning Permits and Grad-
15 ing Plan Approval.
- 16
- 17 December 8, 2009: Ordinance 165 Amending
18 Chapter 66 of the Municipal Code Regarding Sec-
19 tions 66.0320 Regarding Housing in the B-1 Dis-
20 trict.
- 21 December 8, 2009: Ordinance 166-Amending
22 Chapter 66 of the Municipal Code Regarding Sec-
23 tion 66.0323 Regarding Gas Stations in B-3.
- 24 January 12, 2010: Ordinance 162-Amending
25 Chapter 66 of the Municipal Code Establishing
26 Section 66.1055 creating architectural review cri-
27 teria.
- 28 March 09, 2010: Ordinance 163-Amending
29 Chapter 66.1025 of the Municipal Code regarding
30 the impact on housing stock by commercial pro-
31 jects and establishing Section 66.1030 creating
32 incentives for workforce housing for R-2 district
33 projects.
- 34 April 13, 2010: Ordinance 168 Amending the
35 Zoning Map to permit a B-1 conditional use for
36 the parcel located at 10578 Applewood Road.
- 37 April 13, 2010: Ordinance 169 established a zon-
38 ing permit moratorium on certain types of resta-
39 urants.
- 40 July 13, 2010: Ordinance 170 Amending Chapter
41 66.0313 of the Municipal Code permitting the
42 keeping of non-domestic animals in the R-3 dis-
43 trict.
- 44 July 13, 2010: Ordinance 171 Amending Chapter
45 66.0900-.0922 of the Municipal Code recreating
46 the entire section on non-conforming uses and
47 structures.
- 48 August 10, 2010: Ordinance 172 Amending
49 Chapter 66.350 of the Code and multiple other
50 sections to create a Restaurant Overlay District
51 RO-1.
- 52 August 10, 2010: Ordinance 173 Amending
53 Chapter 66.1535 of the Municipal Code recreat-
54 ing the entire section on conditional uses.
- 55 August 10, 2010: Ordinance 174 Amending
56 Chapter 66.0706 if the Municipal Code permitted
57 ground signs in the B-3 to be closer to the curb.
- 58 September 14, 2010: Ordinance 176 Amending
59 Chapter 66 Section 66.0345(d)(1) regarding well-
60 head protection overlay districts.
- 61 October 12, 2010: Ordinance 178 Amending the
62 Zoning Map for the Village of Sister Bay for the
63 Parcel Located at 10674 North Bay Shore Drive to
64 Include Certain Wetlands Areas as W-1.
- 65 December 14, 2010: Ordinance 180 Amending
66 Chapter 66 of the Zoning Code regarding Section
67 66.0710(c) Sandwich Boards and Section
68 66.0705(c) Home Occupation Signs.
- 69 December 14, 2010: Ordinance 181 Approving
70 the Frisoni Door County Ice Cream Factory condi-
71 tional use permit.
- 72 December 14, 2010: Ordinance 182 Amending
73 the Zoning Map for the Village of Sister Bay for
74 the Parcel Located at 10674 North Bay Shore
75 Drive to Include Certain Wetlands Areas as W-1.
- 76 April 12, 2011: Ordinance 185 Amending Section
77 700 Regarding Signage of Chapter 66 Zoning
78 Code and Repealing Section 58.4 of the Municip-
79 al Code
- 80 June 14, 2011: Ordinance 186 Amending Section
81 66.0322(i)(11) Regarding Special Standards for
82 Garages in the B-2 District
- 83 July 12, 2011: Ordinance 187 Amending Sections
84 66.0320—66.0323 the B-1, B-2 and B-3 Districts
85 permitted, accessory and conditional uses and
86 Section 66.0315(c) CS-1 Countryside District
87 Conditional Uses for hotels and motels
- 88 September 13, 2011: Ordinance 191 Amending
89 the Zoning map for a parcel located at 2399 ma-
90 ple drive to grant a conditional use permit as a
91 garage — Hubertz
- 92 March 13, 2012: Ordinance 192 amending the
93 Zoning map for certain parcels located on Field-
94 crest Road to include certain wetlands areas as
95 W-1 — Schuyler
- 96 May 8, 2012: Ordinance 193 creating Section
97 66.0711(c) establishing standards for additional
98 shopping center identification signs.

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- 1 September 9, 2012: Ordinance 200 amending
2 Section 66.0330(f) setbacks for the Institutional
3 District I-1.
- 4 September 9, 2012: Ordinance 201 amending
5 Section 66.0405(h) amending the time period for
6 the Downtown Business District B-3 parking ex-
7 emption
- 8 September 9, 2012: Ordinance 202 amending
9 Section 66.0405 and 66.0406 amending highway
10 access and other parking restrictions
- 11 September 9, 2012: Ordinance 203 amending
12 certain requirements for the Multifamily District
13 R-2
- 14 September 9, 2012: Ordinance 204 amending
15 various sections of the code, which was renum-
16 bered
- 17 October 09, 2012: Ordinance 205 changing the
18 zoning for the parcel located at 10547 Koessl
19 Lane from I-1 to B-1
- 20 October 09, 2012: Ordinance 206 amending Sec-
21 tion 66.0911 removing the 50% valuation re-
22 quirement
- 23 October 09, 2012: Ordinance 207 amending Sec-
24 tion 66.0501 Accessory Uses and the accessory
25 use requirements in the following sections:
26 66.0310(f), 66.0311(f), 66.0312(f), 66.0313(f),
27 66.0314(f), 66.0315(f), 66.0320(f), 66.0330(f),
28 AND 66.0331(f).
- 29 October 09, 2012: Ordinance 208 amending Sec-
30 tion 66.0506 Outdoor Displays
- 31 May 14, 2013: Ordinance 210 Amending the Of-
32 ficial Map in the area bounded by Maple Drive,
33 Highway 57, Flint Ridge Road and Woodcrest
34 Road
- 35 May 14, 2013: Ordinance 211 recreating Section
36 66.0310 Creating a Residential Second Dwelling
37 Overlay District
- 38 May 14, 2013: Ordinance 212 Amending the
39 Zoning Map for a Parcel Located at 10621 N.
40 Highland Road to Grant a Conditional Use Permit
41 as an Outdoor Recreation Facility and a Fast Food
42 Restaurant
- 43 August 13, 2013: Ordinance 215 Amending the
44 Zoning Map for Parcel No. 181-42-30001 located
45 at 10604 STH 57, and Parcel Nos. 181-42-30008,
46 181-42-30006A and 181-42-30005 to R-2 Multi-
47 family.
- 48 August 13, 2013: Ordinance 216 Amending the
49 Zoning Map for Parcel No. 181-00-05312833D
- 50 Located at 10625 N. Highland Road to R-2 Multi-
51 family.
- 52 August 13, 2013: Ordinance 217 Repealing and
53 Recreating Sections 66.0322 and 66.0323 Regard-
54 ing B-2 Downtown Business Transition District
55 and B-3 Downtown Business Transition District
56 Regulations Permitting Hotel Condominiums.
- 57 Break in Numerical Sequence, all Ordinances
58 are listed in a number-6 digit date format.
- 59 Example: 200-010115 would be read as Ordi-
60 nance 200, Adopted on January 1, 2015.
- 61 218-100813 Amending the Official Map In The
62 Area West of Fieldcrest Road and North of Coun-
63 try Lane.
- 64 221-021114 Amending the portion of the Official
65 Map for the Village of Sister Bay which relates to
66 the area east of Orchard Dr. and North of Flint
67 Ridge Rd.
- 68 235-022415 Amending the Zoning Map for Parcel
69 No. 181-00-05312833D Located at 10625 N.
70 Highland Road.
- 71 225-041414 Amending and Recreating section
72 66.0722 of the Village of Sister Bay Zoning Code:
73 Other On/Off Premise Signs with Permit; Sunset
74 for Bayshore Project.
- 75 230-082614 Amending the Official Map; Official-
76 ly Mapped Streets
- 77 231-091614 Amending the Sister Bay Zoning
78 Code, Section 66.0501(e)(2)(h).
- 79 232-091614 Amending the Sister Bay Zoning
80 Code, Section 66.0505; Wind Energy Towers.
- 81 233-111814 Amending the Sister Bay Zoning
82 Code, Section 66.0323, calculations in the B-3
83 zoning district.
- 84 234-122914 Amending the Sister Bay Zoning
85 Code, Sections 66.0711, Shopping Center Sign-
86 age.
- 87 235a-122914 Amend the Sister Bay Zoning Code
88 66.0808-Noise Performance Standards
- 89 235-022415 Amending the Zoning Map for Par-
90 cel No. 181-00-05312833D Located at 10625 N.
91 Highland Road.
- 92 241-111715 Amending Ch 66.0501(b)(3)(e) of
93 the Sister Bay Zoning Code, Accessory buildings
94 in Front Yard Setback Area and 66.0311(c)(1)
95 Conditional uses in the R-1 Zoning District
- 96 244-100416 Amending Chapter 66.0700 "Signs"
97 of the Sister Bay Zoning Code

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- 1 245-111616 Adopting a Planned Unit Develop-
- 2 ment (PUD) for the Sister Bay Market Place
- 3
- 4 246-122716 Changing Zoning from
- 5 B-1 to R-3 on a portion of parcel parcel
- 6 1810008312833F for Ron and Barb Sense at 2454
- 7 Flint Ridge Rd. (CSM approved RESO 341-
- 8 122716, no parcel number issued at time of this
- 9 writing for new parcel)
- 10

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SECTION 1800 - PUBLIC HEARINGS

1 **Sec. 66.1801 Public Hearings**

2 Notice of any public hearing which the Village
3 Board, Plan Commission, or Zoning Board of Ap-
4 peals is required to hold under the terms of this
5 chapter shall specify the date, time and place of
6 hearing, and the matter to be presented at the
7 hearing. Pursuant to chapter 985 of the Wisconsin
8 Statutes, the notice may be published as a Class 1
9 notice or Class 2 notice, to-wit:

10 (a) Zoning Board of Appeals hearings.
11 The notice of public hearing for a variance
12 or appeal before the Zoning Board of Ap-
13 peals shall be published in a newspaper of
14 general circulation in the Village as a Class
15 1 notice that is, published once at least one
16 week before the public hearing. Notice of
17 the public hearings shall be mailed to all
18 parties-in-interest at least ten days before
19 the hearing. Parties-in-interest shall be de-
20 fined as the applicant, the clerk of any mu-
21 nicipality whose boundaries are within
22 1,000 feet of any lands included in the ap-
23 plication and the owners of all lands in-
24 cluded in the application and all lands ly-
25 ing within 300 feet of lands included in the
26 application. The failure to give any notice
27 to any property owner shall not invalidate
28 the action taken by one of the aforemen-
29 tioned bodies.

30 (b) Zoning related hearings.
31 The notice of public hearing for a Zoning
32 Amendment (text or map) or a conditional
33 use permit shall be published in a newspa-
34 per of general circulation in the Village as
35 a Class 2 notice that is at least once each
36 week for two consecutive weeks, the last
37 publication of which shall be at least one
38 week before the public hearing. Notice of
39 the public hearings shall be mailed to all
40 parties-in-interest at least ten days before
41 the hearing. Parties-in-interest shall be de-
42 fined as the applicant, the clerk of any mu-
43 nicipality whose boundaries are within
44 1,000 feet of any lands included in the ap-
45 plication and the owners of all lands in-
46 cluded in the application and all lands ly-
47 ing within 300 feet of lands included in the
48 application. The failure to give any notice
49 to any property owner shall not invalidate
50 the action taken by one of the aforemen-
51 tioned bodies.

52

VILLAGE OF SISTER BAY ZONING CODE

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VILLAGE OF SISTER BAY ZONING CODE

SECTION 2000 - DEFINITIONS

1 **Sec. 66.2001 General Definitions**

2 For the purpose of this chapter, certain words or
3 phrases shall have meanings that either vary
4 somewhat from their customary dictionary mean-
5 ings or are intended to be interpreted to have a
6 specific meaning. Words used in the present tense
7 in this chapter include the future. The word "per-
8 son" includes a firm, association, partnership,
9 trust, company, or corporation as well as an indi-
10 vidual. The word "he" includes the word "she."
11 The word "shall" is mandatory, the word "should"
12 is advisory and the word "may" is permissive. Any
13 words not defined in this section shall be pre-
14 sumed to have their customary dictionary defini-
15 tions.

16 **Sec. 66.2100 Specific Words and Phrases**

17 **Abutting.** Having common border with, or being
18 separated from such common border by an
19 alley or easement other than publicly dedi-
20 cated and approved rights-of-way.

21 **Accessory Structure.** Building or other structure
22 which is customary, incidental and subor-
23 dinate to a permitted principal use of a lot
24 and located on the same lot as the princi-
25 pal use and does not meet the definition of
26 a principal structure. (Amended Ordinance
27 120-061306)

28 **Accessory Use.** A use or detached structure sub-
29 ordinate to the principal use of a structure,
30 land, water, or air and located on the same
31 lot or parcel, and serving a purpose cus-
32 tomarily incidental to the principal use or
33 the principal structure.

34 **Adult Family Home.** A private residence to which
35 all of the following apply: : (a) care and
36 maintenance above the level of room and
37 board but not including nursing care are
38 provided in the private residence by the
39 care provider whose primary domicile is
40 this residence for 3 or 4 adults, or more
41 adults if all of the adults are siblings, each
42 of whom has a developmental disability, as
43 defined in Wisconsin Statutes §51.01(5),
44 or, if the residence is licensed as a foster
45 home, care and maintenance are provided
46 to children, the combined total of adults
47 and children so served being no more than
48 4, or more adults or children if all of the
49 adults or all of the children are siblings;
50 and (b) the private residence was licensed
51 under Wisconsin Statutes § 48.62 as a fos-

52 ter home for the care of the adults specified
53 in sub(a) at least 12 months before any of
54 the adults attained 18 years of age.

55 **Aggrieved Person.** One whose application for a
56 permit is denied, one whose permit is re-
57 voked, and in some instances, taxpayers.
58 An adjacent property owner is not an ag-
59 grieved person unless suffering some spe-
60 cific ascertainable damage or is specifically
61 injured by the actions of a neighbor.

62 **Alley.** A public right-of-way affording only sec-
63 ondary access to abutting properties and
64 not intended for general traffic circulation.

65 **Amusement Park.** A commercially operated facili-
66 ty with various devices for entertainment,
67 which are located primarily outdoors, in-
68 cluding miniature golf.

69 **Animals, domestic** shall refer to animals kept pri-
70 marily in the home, such as dogs, cats,
71 snakes, small rodents, rabbits, pigmy goats,
72 pot-bellied pigs. (Amended Ordinance
73 170-071310)

74 **Animals, non-domestic** shall include, but not be
75 limited to horses, mules, alpacas, llamas,
76 swine, cows, goats, donkeys, chickens,
77 ducks and any endangered or exotic spe-
78 cies of animal, including wild animals.
79 (Amended Ordinance 170-071310)

80 **Animals, wild** shall include, but not be limited to
81 monkeys, non-human primates, raccoons,
82 skunks, fox, wolf, poisonous snakes, leop-
83 ard, panther, tiger, lynx, and any warm
84 blooded animal found normally in a wild
85 state. (Amended Ordinance 170-071310)

86 **Animal Hospital.** A place where animals or pets
87 are given medical or surgical treatment and
88 the boarding of animals is limited to short-
89 term care incidental to the hospital use.

90 **Antenna, Earth Station Dish.** A dish-shaped an-
91 tenna designed to receive television broad-
92 casts relayed by microwave signals from
93 earth-orbiting communication satellites
94 (Also see section 66.0203).

95 **Antenna, Terrestrial.** Any antenna designed to re-
96 ceive television and radio signals relayed
97 from one ground location to another
98 ground location. Such antennas are typi-
99 cally mounted on a tower or support on
100 the rooftop of a structure, or on freestand-
101 ing towers.

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- 1 Antenna. A specific device the surface of which is
2 used to receive or capture incoming and/or
3 to transmit outgoing radio-frequency (RF)
4 signals, microwave signals, or other com-
5 munications energy transmitted from or to
6 be received by other antennas, including,
7 but not limited to the following: (a) Direc-
8 tional (or “panel”) antennas, designed to
9 receive and/or transmit signals in a direc-
10 tional pattern which is less than 360 de-
11 grees, typically an arc of approximately
12 120 degrees; (b) Parabolic (or “dish”) an-
13 tennas, generally bowl-shaped devices that
14 are designed to receive and/or transmit
15 signals in an approximate specific direc-
16 tion; (1) Microwave parabolic antennas are
17 designed to transmit and/or receive micro-
18 wave signals to or from other microwave
19 parabolic antennas; (2) Satellite parabolic
20 antennas are designed to transmit and/or
21 receive audio and/or video or data signals
22 from satellites orbiting the earth; (3) Other
23 devices designed for the reception and/or
24 transmission of radio-frequency (RF) signals
25 or other communication technologies.
- 26 Aquifer. A geologic formation, group of for-
27 mations, or part of a formation that con-
28 tains sufficient saturated, permeable mate-
29 rial to yield significant quantities of water
30 to wells and springs.
- 31 Art Gallery. An institution or business exhibiting
32 or dealing with works of art.
- 33 Art Studio. An establishment engaged in the sale
34 or exhibit of art works such as paintings,
35 sculpture, macramé, knitted goods, stitch-
36 ery or pottery. Art studios are also engaged
37 in the creations of such art works and often
38 offer instruction in their creation.
- 39 Art. The conscious use of skill, taste and creative
40 imagination in the production of objects
41 whose primary or sole value is intended to
42 be aesthetic. Art is distinct from other
43 forms of production by its application of
44 personal, un-analyzable creative power,
45 not merely expertness in workmanship.
- 46 Arterial Highway. A public street or highway used
47 or intended to be used primarily for fast or
48 heavy through traffic. Arterial streets and
49 highways include freeways and express-
50 ways, state trunk and county trunk high-
51 ways, and other heavily traveled streets.
- 52 Attainable Housing. Attainable housing shall be
53 defined as housing for individuals actively
54 working within the boundaries of the Gi-
55 braltar School District, who meet the in-
56 comes levels for individuals and families,
57 which do not exceed the average median
58 earned income level for Door County.
- 59 Audio/Video Production. An activity, not in con-
60 junction with adult-oriented facilities, in-
61 volving the production, including scripting,
62 recording, editing and postproduction of
63 audio and visual taped media for educa-
64 tional, entertainment or promotional pur-
65 poses.
- 66 Automotive Body Repair. Activities involving the
67 repair, painting or undercoating of the
68 body or frame of vehicles with a gross ve-
69 hicle weight of 10,000 pounds or less.
70 Body and frame repair does not include
71 mechanical engine or power train repair.
- 72 Automotive Mechanical Repair. Activities involv-
73 ing the maintenance, servicing or repair of
74 automotive engines, power train, suspen-
75 sion and exhaust system on vehicles with a
76 gross vehicle weight of 10,000 pounds or
77 less. Mechanical repair does not include
78 body and frame repair, painting or under-
79 coating.
- 80 Automotive Sales and Service. Any building, land
81 area, or other premises for the display and
82 sale of new or used automobiles, pickup
83 trucks or vans, lawn and garden imple-
84 ments, trailers, boats, or other recreational
85 vehicles and including any warranty repair
86 work and other repair service conducted as
87 an accessory use.
- 88 Awning. See “Marquee.”
- 89 Baby Sitting. The act of providing care and super-
90 vision for fewer than four children. This
91 definition does not apply when the baby
92 sitter is related to the child, or when more
93 than four children in one household are re-
94 lated.
- 95 Basement. That portion of any structure, which is
96 below grade, or which is partly below and
97 partly above grade but so located that the
98 vertical distance from the grade to the floor
99 is greater than the vertical distance from
100 the grade to the ceiling.
- 101 Bed and Breakfast. Any place of lodging that pro-
102 vides four or fewer rooms for rent for more
103 than 10 nights in a 12-month period, is the
104 owner’s personal residence, is occupied by
105 the owner during the time of rental, and in

VILLAGE OF SISTER BAY ZONING CODE

| | | | |
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| 1 | which the only meal served to guests is | 53 | and similar features, which are not for hu- |
| 2 | breakfast. | 54 | man occupancy. |
| 3 | Bedroom. A private room, 100 square feet or | 55 | Building Separation. The narrowest distance be- |
| 4 | more in area, planned for sleeping and | 56 | tween two buildings. |
| 5 | separable from other rooms by a door. | 57 | Building Setback Line. A line within a lot or par- |
| 6 | Benign non-conformities are those that do not | 58 | cel of land designated, pursuant to Village |
| 7 | have a negative impact on the health and | 59 | Zoning Code requirements, on a plat of a |
| 8 | safety of the public, but may have a nega- | 60 | proposed subdivision within which, and |
| 9 | tive impact on public welfare. (Amended | 61 | the adjacent boundary of the street upon |
| 10 | Ordinance 171-071310) | 62 | which the lot abuts, the erection of an en- |
| 11 | Billboard. See "Sign, Off-Premise." | 63 | closed structure or portion thereof is pro- |
| 12 | Boardinghouse. A place in which lodging, with or | 64 | hibited. |
| 13 | without meals, is offered for compensation | 65 | Building, Accessory. Any building except the |
| 14 | to non-transient guests, that provides four | 66 | principal building on a lot, and located on |
| 15 | or less rooms for rent, is the owner's per- | 67 | the same lot as the principal building. In |
| 16 | sonal residence, and is occupied by the | 68 | the case of a house and detached garage |
| 17 | owner during the time of rental. | 69 | on a lot, the accessory building is the gar- |
| 18 | Boathouse. An accessory structure, which is ac- | 70 | age. |
| 19 | cessible by boats from navigable water, is | 71 | Building, Principal. The main building or struc- |
| 20 | designed, constructed and used solely for | 72 | ture as distinguished from a secondary or |
| 21 | the purpose of protecting or the storing of | 73 | accessory building. This includes a house |
| 22 | boats used for noncommercial purposes in | 74 | in a residential district, a store in a business |
| 23 | conjunction with a residence. | 75 | district, or farm buildings in an agricultural |
| 24 | Buffer Yard. An area of land containing sufficient | 76 | district. |
| 25 | area and width, landscape plantings, earth | 77 | Building, Temporary. Any building not designed |
| 26 | berms, fencing, walls, or other visual | 78 | to be permanently located in the place |
| 27 | and/or sound barriers intended to eliminate | 79 | where it is currently located, or where it is |
| 28 | or minimize land use conflicts between ad- | 80 | intended to be located. |
| 29 | adjacent land uses. | 81 | Building. Any structure having a roof supported |
| 30 | Buildable Area. The area of the lot remaining after | 82 | by columns or walls used or intended to be |
| 31 | the minimum front setback, side setbacks, | 83 | used for the shelter or enclosure of per- |
| 32 | rear setback, and other open space re- | 84 | sons, animals, equipment, machinery, ve- |
| 33 | quirements, such as wetlands, have been | 85 | hicles or materials. |
| 34 | met. (See Illustration No. 5) | 86 | Bulletin Board. See "Sign, Bulletin." |
| 35 | Building Footprint. The ground area covered by | 87 | Camping Unit. Any single shelter, except sleeping |
| 36 | and including the exterior dimensions of a | 88 | bags, bedrolls and hammocks, used for |
| 37 | building, including enclosed porches, at- | 89 | camping by a camping party. |
| 38 | tached garages and carports. | 90 | Camping. The placement of a temporary shelter |
| 39 | Building Height. The vertical distance above the | 91 | used as, or designed to be used for sleep- |
| 40 | finished lot grade at the front of the build- | 92 | ing purposes. Examples of shelters used for |
| 41 | ing measured to the highest point of the | 93 | camping include tents, trailers, motor |
| 42 | coping of a flat roof or to the deck line of a | 94 | homes, recreational vehicles, tarpaulins, |
| 43 | mansard roof or to the average height be- | 95 | bedrolls and sleeping bags. |
| 44 | tween the eaves and the ridge of the high- | 96 | Candela. A measure of light intensity. A candela |
| 45 | est gable, hip or gambrel roof. The finished | 97 | is equal to 1/60 of the luminous intensity |
| 46 | lot grade shall be the average grade across | 98 | per square centimeter of a blackbody radi- |
| 47 | the front of the building measured five feet | 99 | ating at the temperature of solidification of |
| 48 | away. The height of a stepped or terraced | 100 | platinum (2,046° K.) By comparison, a |
| 49 | building is the maximum height of any | 101 | "foot-candle" is the illumination of a sur- |
| 50 | segment of the building. Not included in | 102 | face one-foot distant from a source of one |
| 51 | the maximum height are chimneys, bell | 103 | candela, or one lumen per foot. |
| 52 | towers, steeples, roof equipment, flagpoles | | |

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- 1 Canopy. See "Marquee."
2
3 Car or Truck Wash. Any facility used for the
4 washing of vehicles requiring the installa-
5 tion of special equipment.
6
7 Casual non-commercial use. Transient rental of
8 property for periods of 30 days or less, not
9 to exceed 16 weeks per calendar year.
10 One day of rental in a period of a week
11 shall count as a full week of rental.
12
13 Channel. Those flood lands normally occupied by
14 a stream, lakebed, or other body of water
15 under average annual high-water flow
16 conditions while confined within generally
17 well established banks.
18
19 Clearing. The act of removing trees or brush from
20 any part of a wooded lot for the purpose of
21 building development or the creation of
22 non-wooded areas.
23
24 Co-Location. Locating wireless communication
25 facilities from more than one provider on a
26 single site.
27
28 Business Site. A tract consisting of one or more
29 contiguous lots or parts of lots which are
30 used for inter-dependent ingress and egress
31 of vehicles and containing one or more off-
32 street loading or parking facilities; or any
33 business site having five or more parking
34 stalls.
35
36 Commercial Transient Lodging. The provision of
37 furnished lodging on a transient basis as
38 defined for state sales tax purposes, that is,
39 occupancy for periods of 30 days or less.
40 Rental on a casual, non-commercial basis
41 of residential dwelling units is not consid-
42 ered commercial transient lodging.
43
44 Commercial Vehicle Sales and Service. Any
45 building, land area, or other premises for
46 the display and sale of large trucks and
47 equipment, typically used in commercial
48 operations, and including any warranty re-
49 pair work and other repair service con-
50 ducted as an accessory use. For the pur-
51 pose of this chapter, commercial trucks are
52 trucks with a gross vehicle weight in excess
53 of 10,000 pounds.
54
55 Community Living Arrangement. Means any of
56 the following facilities: child welfare agen-
57 cies group home for children and commu-
58 nity-based residential facilities; but does
59 not include adult family homes, day care
60 centers, nursing homes, general hospitals,
61 special hospitals, prisons and jails.
62
63 Community Water System. A public water system
64 that serves at least fifteen service connec-
65 tions used by year-round residents or regu-
66 larly serves at least twenty-five year round
67 residents.
68
69 Community-based Residential Facility. A place
70 where three or more unrelated adults re-
71 side in which care, treatment or services
72 above the level of room and board but not
73 including nursing care are provided to per-
74 sons residing in the facility as a primary
75 function of the facility.
76
77 Conditional Uses. Uses of a special nature as to
78 make impractical their predetermination as
79 a permitted use in a district. Conditional
80 uses have been used in zoning ordinances
81 as flexible devices, which are designed to
82 cover situations where a particular use,
83 although not inherently inconsistent with
84 the use classification of a particular zoning
85 district, may create special problems and
86 hazards if allowed to develop and locate as
87 a matter of right in a particular zoning dis-
88 trict. Conditional uses are issued to proper-
89 ties, not individuals, and their continued
90 use runs with the property, not with the
91 owner.
92
93 Condominium, Hotel/Motel. A condominium
94 ownership property where more than 25
95 percent of the units are available for rent
96 for more than 30 days per year or on a
97 commercial transient lodging basis.
98
99 Condominium, Residential. A condominium
100 ownership property where more than 75
101 percent of the units are owner occupied
102 and the casual non-commercial use does
103 not exceed 30 days per year per unit.
104
105 Cone of Depression. A depression in the water
106 table that occurs when a pumping well
107 withdraws water as a rate faster than the
108 aquifer can supply water to the well.
109
110 Convenience Food Store. A retail establishment of
111 less than 3,000 square feet in area where
112 food products and related household prod-
113 ucts are sold.
114
115 Corner Lot. A lot abutting on two streets at their
116 intersection, where the angle of intersec-
117 tion is not more than 135 degrees.
118
119 Covenant. A contract or other written agreement
120 between two parties, which constitutes a
121 restriction on a particular parcel of land.

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- 1 Curb Elevation. The elevation of the established
2 curb in front of a building or structure gener-
3 ally used as a reference point in estab-
4 lishing yard grades. Where curb has not
5 been installed, the mean centerline eleva-
6 tion of the street in front of the building or
7 structure shall be used as the reference
8 point.
- 9 Cutting plan. A plan for the removal of vegetation
10 including any proposed replanting of vege-
11 tation.
- 12 Day Care Center. See "Family Day Care Home"
13 and "Group Day Care Center."
- 14 Deck. An unenclosed, unroofed exterior platform
15 structure, with or without railings, which is
16 elevated above preconstruction grade, is
17 typically of wood construction, either at-
18 tached to a building or freestanding. A
19 deck shall be considered a structure not
20 building.
- 21 Density. A number expressing the relationship of
22 the number of dwelling units to land area.
- 23 Detrimental non-conformities are those that have
24 a negative impact on the health and safety
25 of the public. Detrimental non-
26 conformities have the potential for harm.
27 (Amended Ordinance 171-071310)
- 28 Development Project: Any residential, commer-
29 cial, business or mixed-use subdivision
30 plan or development plan submitted to the
31 Village for approval.
- 32 Development. Any man-made change to im-
33 proved or unimproved real estate, includ-
34 ing but not limited to construction of or
35 addition or substantial improvements to
36 buildings, other structures, or accessory
37 uses, mining, dredging, filling, grading,
38 paving, excavation or drilling operations,
39 or disposition of materials.
- 40 Diffuse: To spread or scatter widely, or thinly.
- 41 Direct Illumination: Illumination resulting from
42 light emitted directly from a lamp or lumi-
43 naire, not light diffused through translucent
44 signs or reflected from other surfaces such
45 as the ground or building facades.
- 46 Display Lot or Area: Outdoor areas where active
47 nighttime sales activity occurs and where
48 accurate color perception of merchandise
49 by customers is required. To qualify as a
50 Display Lot, one of the following specific
51 uses must occur: Automobile sales, boat
52 sales, tractor sales, building supply sales,
53 gardening or nursery sales, assembly lots,
54 swap meets. Uses not on this list must be
55 approved as display lot uses by the munic-
56 ipality.
- 57 District, Basic. A part or parts of the Village for
58 which the regulations of this chapter gov-
59 erning the use and location of land and
60 buildings are uniform (such as the residen-
61 tial and business district classifications).
- 62 District, Overlay. Overlay districts provide for the
63 possibility of superimposing certain addi-
64 tional requirements upon a basic zoning
65 district.
- 66 Driveway: Every way or area used for vehicular
67 travel back of the street right-of-way.
- 68 Dryland Access. A vehicular access route which
69 is above the regional flood elevation and
70 which connects land located in the flood-
71 plain to land, which is outside the flood-
72 plain, such as a road with its surface above
73 the regional flood elevation and wide
74 enough to accommodate wheeled vehi-
75 cles.
- 76 Dune. A mound, hill or ridge of sand piled by
77 wind.
- 78 Dwelling Unit, Efficiency. A dwelling unit consist-
79 ing of not more than one habitable room
80 together with kitchen or kitchenette facili-
81 ties and sanitary facilities.
- 82 Dwelling Unit. A group of rooms including at
83 least a kitchen or kitchenette, sanitary facili-
84 ties, and a bedroom; and providing, or in-
85 tended to provide, living quarters for not
86 more than one family.
- 87 Dwelling, Bi-Level. A two-level dwelling with one
88 level above grade, and the other level par-
89 tially above grade and partially below
90 grade. The lowest level may or may not
91 have exterior access. For the purpose of
92 measuring living area, the Zoning Adminis-
93 trator will determine functional areas as set
94 forth in the definition of "living area" and
95 the first floor area will be considered the
96 first level that is entirely above grade.
- 97 Dwelling, Detached. A dwelling, which is entirely
98 surrounded by open space on the same lot.
- 99 Dwelling, Multiple-Family. A residential building
100 designed for or occupied by three or more
101 families, with the number of families in a

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|----|--|-----|--|
| 1 | residence not to exceed the number of | 53 | toring of noise, air or water pollutants, sol- |
| 2 | dwelling units provided. | 54 | id waste or thermal pollution, radiation or |
| 3 | Dwelling, Single-Family. A building designed for | 55 | other pollutants, including facilities in- |
| 4 | or occupied exclusively by one family. | 56 | stalled principally to supplement or to re- |
| 5 | Dwelling, Tri-Level. A three-level dwelling with | 57 | place existing property or equipment not |
| 6 | two levels above grade, and a third level | 58 | meeting or allegedly not meeting accepta- |
| 7 | partially above grade and partially below | 59 | ble pollution control standards or which |
| 8 | grade. The lowest level may or may not | 60 | are to be supplemented or replaced by |
| 9 | have exterior access. For the purpose of | 61 | other pollution control facilities. |
| 10 | measuring living area, the Zoning Adminis- | 62 | Essential Services. Services provided by public |
| 11 | trator will determine functional areas as set | 63 | and private utilities necessary for the exer- |
| 12 | forth in the definition of "living area" and | 64 | cise of the principal use or service of the |
| 13 | the first floor area will be considered the | 65 | principal structure. These services include |
| 14 | first level that is entirely above grade. | 66 | underground, surface, or overhead facili- |
| 15 | Dwelling, Two-Family. A building, also called a | 67 | ties such as gas, electrical, steam, water, |
| 16 | duplex, containing two separate dwelling | 68 | sanitary sewerage, storm water drainage, |
| 17 | (or living) units, designed for occupancy by | 69 | and communication systems and accesso- |
| 18 | not more than two families, and having | 70 | ries thereto, such as poles, towers, wires, |
| 19 | separate entrances and kitchen facilities. | 71 | mains, drains, vaults, culverts, laterals, |
| 20 | Dwelling. A building designed or used exclusive- | 72 | sewers, pipes, detention basins, drainage |
| 21 | ly as a residence or sleeping place, but | 73 | channels, catch basins, water storage |
| 22 | does not include boarding or lodging | 74 | tanks, conduits, cables, fire alarm boxes, |
| 23 | houses, motels, hotels, tents, cabins, or | 75 | police call boxes, traffic signals, pumps, lift |
| 24 | travel trailers. | 76 | stations, and hydrants, but not including |
| 25 | Election Campaign Period. In the case of an elec- | 77 | buildings. |
| 26 | tion for office, the period beginning on the | 78 | Facility. A building or buildings, appurtenant |
| 27 | first day of circulation of nomination pa- | 79 | structures, and surrounding land used by a |
| 28 | pers by candidates or the first day that | 80 | single business, private entity, or govern- |
| 29 | candidates would circulate nomination | 81 | mental unit or sub-unit at a single location |
| 30 | papers were papers to be required, and | 82 | or site. |
| 31 | ending the day of the election. In the case | 83 | Family Day Care Home. A dwelling licensed as a |
| 32 | of a referendum, the period beginning on | 84 | day care center by the State of Wisconsin |
| 33 | the day on which the question to be voted | 85 | pursuant to section 48.65 of the Wisconsin |
| 34 | upon is submitted to the electorate and | 86 | Statutes, where care is provided for not |
| 35 | ending on the day on which the referen- | 87 | more than eight children under the age of |
| 36 | dum is held. | 88 | 7 years for less than 24 hours per day. All |
| 37 | Enclosed Structure. A structure consisting of a sol- | 89 | structures shall be located a minimum of |
| 38 | id roof, a permanent foundation, a floor | 90 | 100 feet from any residentially zoned |
| 39 | and solid walls extending from the floor to | 91 | property. |
| 40 | the roof. Solid doors, windows or other | 92 | Family. The group of persons related by blood, |
| 41 | glazing are allowed in the walls. Open | 93 | marriage or adoption, or not more than |
| 42 | breezeways or screen walls do not qualify | 94 | four unrelated persons who live together in |
| 43 | as enclosed structures. | 95 | one dwelling unit as a single housekeeping |
| 44 | Environmental Contractor. Offices, laboratories | 96 | entity. |
| 45 | and support facilities for the testing or | 97 | Farm. A parcel of land used for agricultural activi- |
| 46 | evaluation of soil, air or water, not includ- | 98 | ties including, but not limited to, the rais- |
| 47 | ing any on-site storage or remediation of | 99 | ing and harvesting of field crops; the rais- |
| 48 | materials. | 100 | ing of livestock; and the raising and har- |
| 49 | Environmental Control Facility. Any facility, tem- | 101 | vesting of trees, orchards, or vineyards. |
| 50 | porary or permanent, which is reasonably | 102 | Farmers' or Growers' Market is defined as a pub- |
| 51 | expected to abate, reduce or aid in the | 103 | lic market place where fresh foods are sold |
| 52 | prevention, measurement, control or moni- | 104 | by the residents of Door County who have |
| | | 105 | grown, gathered, raised or produced them. |

VILLAGE OF SISTER BAY ZONING CODE

| | | | |
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| 1 | Markets where crafts and other items are | 54 | immediate purchaser. Flea markets may be |
| 2 | sold can be eligible as farmers' markets, as | 55 | conducted within a structure or in the open |
| 3 | long as the total number of craft vendors | 56 | air. Rummage sales and garage sales are |
| 4 | does not exceed the total number of farm- | 57 | not considered flea markets. |
| 5 | ers. (Amended Ordinance 150-050409) | | |
| 6 | Fence, Ornamental. A fence intended to decorate, | 58 | Flood Lamp: A specific lamp form designed to di- |
| 7 | accent, or frame a feature of the landscape. | 59 | rect its output in a specific direction (a |
| 8 | Ornamental fences are often used to identi- | 60 | beam) but with a diffusing glass envelope. |
| 9 | fy a lot corner or lot line; or frame a drive- | 61 | Such lamps are so designated by the manu- |
| 10 | way, walkway or planting bed. Ornamen- | 62 | facturers and are typically used in residen- |
| 11 | tial fences are often of the rail, or wrought | 63 | tial outdoor area lighting. |
| 12 | iron type. A chain link fence is not consid- | 64 | Floor. A floor (synonymous with a story) in a mul- |
| 13 | ered an ornamental fence. | 65 | ti-story building is defined as a horizontal |
| 14 | Fence, Residential. A fence intended to identify | 66 | open and occupiable space divided from |
| 15 | residential property lines, provide for priv- | 67 | other such spaces within the building by |
| 16 | acy, and/or to protect members of a | 68 | horizontal plates. The floor count shall be |
| 17 | household, especially children. A residen- | 69 | defined by determining the highest and |
| 18 | tial fence may also secure a private swim- | 70 | lowest above ground floors and counting |
| 19 | ming pool against unauthorized entry. Res- | 71 | all stories from one to the other. Each floor |
| 20 | idential fences are usually four to six feet in | 72 | level must be at least seven feet in height. |
| 21 | height. Residential fences are often of the | 73 | Floor levels may be classified as above |
| 22 | picket, rail, stockade, board-on-board, | 74 | ground or below ground. An above ground |
| 23 | board and batten, basket weave, or lou- | 75 | floor is a level whose ceiling is at least sev- |
| 24 | vered type, and do not include chain link | 76 | en feet above the ground. If a building is |
| 25 | fences. | 77 | set on sloping ground, then the first level |
| 26 | Fence, Security. A fence intended to guard prop- | 78 | flush with or higher than the lowest imme- |
| 27 | erty against unauthorized entry, and to pro- | 79 | diately, surrounding ground level shall be |
| 28 | tect stored goods and products from theft | 80 | considered the first above ground floor. |
| 29 | and other unauthorized handling. Security | 81 | Floors, which are above the soil line, but |
| 30 | fences usually exceed six feet in height, are | 82 | below an elevated street, which passes or |
| 31 | often made of wrought iron or chain link, | 83 | approaches the main entrance, shall be |
| 32 | and may incorporate additional security | 84 | considered underground; likewise floors |
| 33 | features such as barbed wire. | 85 | which open to the outside only through a |
| 34 | Fence. An artificially constructed barrier of any | 86 | sunken plaza shall be considered below |
| 35 | material or combination of materials erect- | 87 | ground. If the floor levels within a building |
| 36 | ed to enclose, decorate, or screen areas of | 88 | do not match at all points, then aside from |
| 37 | land. A fence shall also be defined to in- | 89 | counting all legitimately independent mez- |
| 38 | clude rock walls and plantings of bushes or | 90 | zanines, only one vertical set of levels shall |
| 39 | trees. | 91 | count in determining the floor count. In |
| 40 | Five-Year Time of Travel (TOT). The five-year | 92 | this case, the set, which yields the highest |
| 41 | time of travel is the recharge area up gradi- | 93 | number, shall be used. |
| 42 | ent of the cone of depression, the outer | 94 | Floor Area Ratio. The gross floor area of all build- |
| 43 | boundary of which it is determined or es- | 95 | ings on the lot divided by the lot area. This |
| 44 | timated that groundwater and potential | 96 | is often expressed as a percentage of the |
| 45 | contaminants will take five years to reach a | 97 | lot. Floor area ratio differs from lot cover- |
| 46 | pumping well. | 98 | age in that the floor area of all floors of |
| 47 | Flea Market. Any premises where the principal | 99 | each building is used in making the calcu- |
| 48 | use is the sale of new or used household | 100 | lation. |
| 49 | goods, personal effects, tools, art work, | 101 | Floor Area, Gross. The sum of the gross horizontal |
| 50 | small household appliances, and similar | 102 | areas of the floors of a building measured |
| 51 | merchandise, equipment or objects, in | 103 | from the exterior face of exterior walls, or |
| 52 | small quantities, in broken lots or parcels, | 104 | from the centerline of a wall separating |
| 53 | not in bulk, for use or consumption by the | 105 | two buildings, but not including interior |
| | | 106 | parking spaces, loading space for motor |
| | | 107 | vehicles, attics, unfinished basement |

VILLAGE OF SISTER BAY ZONING CODE

- 1 rooms, garages, breezeways and unen-
2 closed porches or terraces or any space
3 where the floor-to-ceiling height is less
4 than six feet.
- 5 Floor Area, Net. The total of all floors areas of a
6 building, excluding stairwells and elevator
7 shafts, equipment rooms, interior vehicular
8 parking or loading space; and all floors be-
9 low the first or ground floor, except when
10 used or intended to be used for human
11 habitation or service to the public. Very of-
12 ten, for ease of administration, net floor ar-
13 ea is expressed as gross floor area minus a
14 certain percentage. Empirically, stairwells,
15 elevator shafts, equipment rooms and utili-
16 ty rooms generally average out to about 15
17 percent of the gross floor area.
- 18 Foot-Candle (fc): A unit of illuminance equal to 1
19 lumen/ft², the illumination of a surface
20 one-foot distant from a point source having
21 a uniform luminous intensity of 1 candela
22 (cd). One- (1) foot-candle equals approxi-
23 mately 0.1 (0.093) lux (metric). Full Cutoff
24 Luminaire: A luminaire light distribution
25 where no light is emitted above the hori-
26 zontal, and where the intensity at 80 de-
27 grees from nadir is no greater than 100
28 candelas per 1000 lamp lumens.
- 29 Foster Home. Any facility operated by a person
30 required to be licensed by section 48.62
31 that provides care and maintenance for no
32 more than four children unless all children
33 are siblings.
- 34 Freeboard. A flood protection elevation require-
35 ment designed as a safety factor, which is
36 usually expressed in terms of a specified
37 number of feet above a calculated flood
38 level. Freeboard compensates for the ef-
39 fects of any factors that contribute to flood
40 heights greater than those calculated. The-
41 se factors include, but are not limited to,
42 ice jams, debris accumulation, wave ac-
43 tion, obstruction of bridge openings and
44 floodways, the effects of urbanization on
45 the hydrology of a watershed, loss of flood
46 storage areas due to development and ag-
47 gregation of the river or stream bed. (See Il-
48 lustration No. 7)
- 49 Front Setback. A line established on a parcel of
50 land for the purpose of identifying the
51 nearest point a principal or accessory
52 structure may be placed to a lot line or
53 right-of-way line. The minimum required
54 horizontal distance between the front
55 property line and the nearest foundation
56 wall of a principal or accessory building,
57 excluding overhangs, uncovered steps and
58 stoops, gutters and awnings. Where the
59 street line is an arc, the setback shall be
60 measured from the arc. (See Illustration
61 No. 9)
- 62 Front Yard. A regulated area on a developed par-
63 cel of land. The yard area bounded by the
64 front lot line, the side lot lines and the front
65 foundation wall of a principal building ,
66 excluding overhangs, uncovered steps and
67 stoops, gutters and awnings. (See Illustra-
68 tion No. 10)
- 69 Frontage. The dimension of a lot abutting a public
70 street measured along the street right-of-
71 way line. For lots abutting a lake or stream,
72 the dimension measured along the shore-
73 line.
- 74 Fully Shielded Luminaires: Outdoor luminaire uti-
75 lizing flat, clear lenses with no
76 refractorizing elements and which operates
77 in a horizontal position with nonadjustable
78 mounting hardware or brackets. Light is
79 distributed by means of internal reflector.
80 The light source is totally concealed by the
81 luminaire housing when the observation
82 position is at an angle less than fifteen de-
83 grees (15°) above horizontal. Light is not
84 permitted at an angle less than four degrees
85 (4°) above horizontal.
- 86 Garage Attached. A garage that is connected to
87 the principal structure by a doorway lead-
88 ing directly into the interior of the principal
89 structure. The connection must have walls
90 and a roof and shall not be exposed to the
91 outdoors. A covered breezeway is not a
92 permitted connection. (Amended Ord-
93 nance 120-061306)
- 94 Garage Sale. See "Rummage Sale."
- 95 Garage, Private. A structure primarily intended for
96 and used for the enclosed storage or shelter
97 of the private motor vehicles of the family's
98 resident upon the premises.
- 99 Garage, Public or Commercial. A structure or por-
100 tion thereof, other than a private garage,
101 used primarily for the parking and storage
102 of motor vehicles and available to the pub-
103 lic. A public garage may or may not charge
104 a fee for such use.
- 105 Garage, Repair. See "Automobile Body Repair"
106 and "Automobile Mechanical Repair."

VILLAGE OF SISTER BAY ZONING CODE

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| 1 | Gasoline Service Stations. Any building, land area, or other premises, or portion thereof, used or intended to be used for the retail dispensing and sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories. Contemporary service stations may specialize in a singular service such as providing fast oil changes. | 53 | tating reversible illness; or Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed. |
| 2 | | 54 | |
| 3 | | 55 | |
| 4 | | 56 | |
| 5 | | 57 | |
| 6 | | 58 | Health and Safety of the Public is the protection from injury, illness, danger and other harm. (Amended Ordinance 171-071310) |
| 7 | | 59 | |
| 8 | | 60 | |
| 9 | | 61 | Height of Tower. The vertical distance measured in feet from the average existing level of the ground surrounding the tower and within ten feet thereof to the topmost point of the tower including any antenna or other appurtenances. The existing elevation shall mean the actual or approved elevations of the property at the time of application. |
| 10 | Contemporary services may also be associated with another principal use such as a convenience food store. In such instance, the facility is to comply with both the service station and food store requirements of this chapter. | 62 | |
| 11 | | 63 | |
| 12 | | 64 | |
| 13 | | 65 | |
| 14 | | 66 | |
| 15 | | 67 | |
| 16 | Glare: A light ray emanating directly from a lamp, reflector or lens that falls directly on the observer's eye. | 68 | |
| 17 | | 69 | |
| 18 | | 70 | Home Occupation. Any occupation for financial gain or support conducted entirely within the premises by resident occupants; which is customarily incidental to the principal use of the premises. [See also section 66.0501(D) of this chapter] |
| 19 | Grade, Established. The elevation of the finished street at the centerline or curb as fixed by such authority as shall be designated by law to determine such an elevation. | 71 | |
| 20 | | 72 | |
| 21 | | 73 | |
| 22 | | 74 | |
| 23 | Grocery Store. A retail establishment of at least 25,000 square feet in area, where food products and related household products are sold. | 75 | |
| 24 | | 76 | Hotel. An establishment, licensed pursuant to Chapter 50 of the Wisconsin Statutes, wherein sleeping accommodations are offered for pay to transients, in five or more rooms, and all places used in connection therewith. The terms "Hotel," "Motel," and "Inn" are synonymous. |
| 25 | | 77 | |
| 26 | | 78 | |
| 27 | Groundwater Divide. A ridge in the water table, or potentiometric surface, from which groundwater moves away at right angles in both directions. Line of highest hydraulic head in the water table or potentiometric surface. | 79 | |
| 28 | | 80 | |
| 29 | | 81 | |
| 30 | | 82 | |
| 31 | | 83 | IESNA: Illuminating Engineering Society of North America, an organization that establishes updated standards and illumination guidelines for the lighting industry. |
| 32 | | 84 | |
| 33 | Groundwater. The water in a saturated zone or stratum beneath the surface of land or water, whether or not it is flowing through known and definite channels. | 85 | |
| 34 | | 86 | |
| 35 | | 87 | Impervious Surface. Surfaces which do not absorb precipitation including buildings, structures, parking lots, driveways, roads, sidewalks and any areas in concrete, asphalt or packed stone. |
| 36 | | 88 | |
| 37 | Group Day Care Center. An establishment providing care and supervision for four or more persons under the age of seven and licensed by the State of Wisconsin pursuant to section 48.65 of the Wisconsin Statutes. | 89 | |
| 38 | | 90 | |
| 39 | | 91 | |
| 40 | | 92 | Inoperative Vehicle. Any motor vehicle, which lacks a current registration, two or more wheels, or any other component part, which renders the vehicle illegal for use on highways. |
| 41 | | 93 | |
| 42 | Group Home. Any facility operated by a person required to be licensed by the State of Wisconsin pursuant to section 48.62 of the Wisconsin Statutes for the care and maintenance of five to eight children. | 94 | |
| 43 | | 95 | |
| 44 | | 96 | |
| 45 | | 97 | Installation. Shall mean the attachment or assembly, whether or not connected to a power source, of any outdoor light fixture affixed to the ground, a building, a pole or any other supporting structure or device. |
| 46 | | 98 | |
| 47 | Hazardous Substance. Any waste or material which because of its quantity, concentration or physical chemical or infectious characteristics may: cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of or otherwise managed. | 99 | |
| 48 | | 100 | |
| 49 | | 101 | |
| 50 | | 102 | Installation: The assembly or attachment, whether or not connected to a power source, of an outdoor luminaire affixed to the ground, a |
| 51 | | 103 | |
| 52 | | 104 | |
| | | 180 | |

VILLAGE OF SISTER BAY ZONING CODE

| | | | |
|----|--|-----|---|
| 1 | building, a pole, or other supporting structure or device. | 53 | requirements of the district in which it is located. |
| 2 | | 54 | |
| 3 | Jump Balcony. A horizontal platform affixed to the exterior wall of a structure, which is readily accessible from an upper story door or window and which serves as a place from which rescue can be achieved in the event of fire or similar hazard. | 55 | Legal Non-conforming Use. Any use of land, or land and buildings in combination, lawfully existing at the time of adoption of the Zoning Ordinance, which does not comply with the use regulations for the district in which it is located. |
| 4 | | 56 | |
| 5 | | 57 | |
| 6 | | 58 | |
| 7 | | 59 | |
| 8 | | 60 | |
| 9 | Junk or Salvage Yard. An area consisting of buildings, structures, or premises where junk, waste, and discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including automobile wrecking yards and house wrecking and structural steel materials and equipment yards, but not including the purchase or storage of used furniture and household equipment or used cars in operable condition. | 61 | Light Pollution: Light directed upward to the sky or reflected from surfaces, interfering with astronomical observations or night sky appreciation. |
| 10 | | 62 | |
| 11 | | 63 | |
| 12 | | 64 | |
| 13 | | 65 | Light Trespass: Unwanted light that falls beyond the adjacent property line or the area intended to be illuminated. Light trespass falls into two categories: Unwanted light received in adjacent properties (high illuminance levels), and excessive brightness occurring in the normal field of vision (nuisance glare). |
| 14 | | 66 | |
| 15 | | 67 | |
| 16 | | 68 | |
| 17 | | 69 | |
| 18 | | 70 | |
| 19 | | 71 | |
| 20 | Kennel, Private. A place where no more than two dogs are housed for personal use. | 72 | |
| 21 | | 73 | Lighting Source: Lamp or manufactured device emitting energy that is capable of exciting the retina and producing a visual sensation. Emitted energy falls within the electromagnetic spectrum having a length of between 380 and 770 nanometers. Such devices include, but are not limited to incandescent, fluorescent, LED, carbon arc, quartz-iodine/tungsten halogen, low-pressure sodium, high-pressure sodium, metal halide and mercury vapor lamps. |
| 22 | Kennel. Any establishment wherein or whereon eight or more dogs over the age of five months are kept for breeding, sale, sporting purposes or where boarding care is provided for compensation. All structures associated with kennels shall be a minimum of 100 feet from side and rear property lines. | 74 | |
| 23 | | 75 | |
| 24 | | 76 | |
| 25 | | 77 | |
| 26 | | 78 | |
| 27 | | 79 | |
| 28 | | 80 | |
| 29 | L(v): Veiling luminance, expressed in cd/ft ² , is reflected glare - the reflection of incident light that partially or totally obscures the details to be seen on a surface due to contrast reduction. | 81 | |
| 30 | | 82 | |
| 31 | | 83 | |
| 32 | | 84 | Lineal Building Front Foot. The length of the front wall of the building adjacent and parallel or closely parallel to any abutting street or public right-of-way. |
| 33 | | 85 | |
| 34 | Land Disturbance Use or Activity. Any land alterations or disturbances which may result in soil erosion, sedimentation and/or the increase in runoff, including but not limited to tilling, removal of ground cover, grading, excavating and filling of land, except that the term shall not include such minor land disturbing activities as home gardens. Additionally, this term does not include agricultural land uses. | 86 | |
| 35 | | 87 | |
| 36 | | 88 | Living Area. The total area bounded by the exterior walls of a building at the floor levels, but not including basement, garages, porches, breezeways, and unfinished attics. |
| 37 | | 89 | |
| 38 | | 90 | |
| 39 | | 91 | |
| 40 | | 92 | |
| 41 | | 93 | Loading Area. A completely off-street space or berth on the same lot as the principal use it serves for the loading or unloading of freight carriers, having adequate ingress and egress to a public street or alley. |
| 42 | | 94 | |
| 43 | | 95 | |
| 44 | Landscaping. Alteration of the natural terrain and cover, including the planting of trees, grass, shrubs and ground cover. | 96 | |
| 45 | | 97 | |
| 46 | | 98 | Loading Space. That portion of a lot or space accessible from a street, alley or way, in or outside of a building, designed to serve the purpose of loading or unloading for all types of vehicles. |
| 47 | Legal Non-conforming Structure. A building or structure lawfully existing at the time of adoption of the Zoning Ordinance which houses a use which is permitted in the district, but does not comply with all the applicable area, height, yard, and/or parking | 99 | |
| 48 | | 100 | |
| 49 | | 101 | |
| 50 | | 102 | |
| 51 | | 103 | Lot Area, Gross. The total area within the lot lines of a lot, including any street rights-of-way. |
| 52 | | 104 | |

VILLAGE OF SISTER BAY ZONING CODE

- 1 Lot Area, Net. The total area within the lot lines of
2 a lot, excluding any street rights-of-way.
- 3 Lot Coverage. That portion of the lot that is covered by buildings, structures, and paved surfaces. This is often expressed as a percentage of the lot. Lot coverage differs from floor area ratio in that only the ground floor of each building is used in making the calculation.
- 10 Lot Line, Front. The lot line nearest to the centerline of the public or private road from which the lot takes access. In the case of a double frontage lot, each lot line along the public or private road shall be considered a front lot line.
- 16 Lot Line, Rear. In the case of rectangular or mostly trapezoidal shaped lots, that lot line which is in general parallel to and most distance from the front lot line of the lot. In the case of an irregular or triangular lot, a line 20 feet in length, entirely within the lot, parallel to and at the maximum possible distance from the front lot line shall be considered the rear lot line.
- 25 Lot Line, Side. Any lot line other than a front or rear lot line.
- 27 Lot Line. A line dividing one lot from another or from a street or alley.
- 29 Lot of Record Any lot, the description of which is properly recorded with the county register of deeds, which at the time of its recordation complied with all applicable laws, ordinances and regulations.
- 34 Lot Width. The horizontal distance between side lot lines of a lot measured at right angles to its depth along a straight line and parallel to the front lot line, or its chord if on a curve. Lot widths may vary in width, especially on cul-de-sac lots and lots on curved streets, from the front of the lot to the back of the lot. A lot is not considered buildable unless the minimum lot width required for the district in which the lot is located is maintained at the front setback line and for a distance of 30 feet immediately behind the front setback line.
- 47 Lot, Corner. A lot situated at the junction of and abutting on two or more intersecting streets, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed 135 degrees. (See Illustration No. 11)
- 53 Lot, Double Frontage. A parcel of land, other than a corner lot, with frontage on more than one street or with frontage on a street and a navigable body of water. (See Illustration No. 11)
- 58 Lot, Interior. A lot abutting a single street and which is bounded by adjacent lots along its side and rear lot lines. (See Illustration No. 11)
- 62 Lot. A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon.
- 66 Lumen: Unit of luminous flux – used to measure the actual amount of light produced by the lamp(s).
- 69 Luminaire: Lighting unit consisting of a lamp or lamps and ballast(s) when applicable, together with the parts designed to distribute the light, to position and protect the lamp(s), and to connect the lamp(s) to the power supply, less the support assembly. Consider lighting assemblies that includes multiple unshielded or partially shielded lamps on a single pole or standard as a single unit.
- 79 Lux: Unit of illuminance equal to one- (1) lumen per square foot. One-(1) lux equals approximately 10 (10.8) foot-candles.
- 82 Machine Shops. Establishments where various types of materials are subjected to drilling, boring, turning, milling, grinding or EDMs to create a component or end product.
- 86 Major Recreational Equipment. Means and includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, snowmobiles and snowmobile trailers and the like.
- 91 Management Zones. A zone or zones established to provide protection to the area surrounding a well or well field from potential contaminant sources. Management options may include limits on certain activities, more stringent design and operating standards, strict monitoring of potential pollution sources, promoting best management practices, and/or implementing education programs. Multiple protection zones may be established for different management strategies based on proximity to the well field.

VILLAGE OF SISTER BAY ZONING CODE

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|----|--|-----|--|
| 1 | Manufactured Dwelling. Any structure or component thereof which is intended for use as a dwelling and (1) is of closed construction and fabricated or assembled on site or off site in manufacturing facilities for installation, connection or assembly and installation on the building site; or (2) is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation on the building site and for which certification is sought by the manufacturer pursuant to the Wisconsin Uniform Dwelling Code. A single or double width manufactured (mobile) home is not considered a manufactured dwelling. | 54 | by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction. A mobile home exceeding statutory size limits under section 348.07(2) of the Wisconsin Statutes shall be considered a primary housing unit. A mobile home not exceeding the statutory size under section 348.07(2) shall be considered a touring or recreational vehicle. [SOURCE: section 340.01(29), Wis. Stat.] |
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| 6 | | 59 | |
| 7 | | 60 | |
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| 9 | | 62 | |
| 10 | | 63 | |
| 11 | | 64 | |
| 12 | | 65 | Modification. A departure from the rules and regulations set forth in this chapter where a particular use is not required to meet the stated requirements of the chapter. Examples would include not requiring steeples and antenna to comply with the stated building height requirements for principal buildings; or not requiring roof overhangs, fences or accessory buildings to comply with side or rear setback requirements for principal buildings. The chapter may limit the amount of modification from the stated requirements for given structures or uses. |
| 13 | | 66 | |
| 14 | | 67 | |
| 15 | | 68 | |
| 16 | | 69 | |
| 17 | | 70 | |
| 18 | Manufactured Home. A structure transportable in one or more sections, which is built on a permanent chassis and is, designed to be used with or without a permanent foundation when connected to required utilities. A manufactured home may also be known as a mobile home. A recreational vehicle or travel trailer is not a manufactured home. | 71 | |
| 19 | | 72 | |
| 20 | | 73 | |
| 21 | | 74 | |
| 22 | | 75 | |
| 23 | | 76 | |
| 24 | | 77 | |
| 25 | | 78 | Modular Unit. A factory fabricated transportable building unit designed to be used by it or to be incorporated with similar units at a building site into a modular structure to be used for residential, business or educational purposes. |
| 26 | | 79 | |
| 27 | Manufactured/Mobile Home means the same as defined in Wisconsin Statutes § 101.91(2), (10). | 80 | |
| 28 | | 81 | |
| 29 | | 82 | |
| 30 | Manufacturing. Activities involving the mechanical or chemical transformation of materials or substances into new products. | 83 | |
| 31 | | 84 | Motor Home. A vehicle designed to be operated upon a highway or as a temporary or recreational dwelling and having the same internal characteristics and equipment as a mobile home. |
| 32 | | 85 | |
| 33 | Marquee. A roof-like structure of a permanent nature, which projects from the wall of a building and may overhang the street right-of-way. A marquee may also be called a canopy or an awning. | 86 | |
| 34 | | 87 | |
| 35 | | 88 | |
| 36 | | 89 | Multi-Class or Multi-Use Lighting: Outdoor lighting used for more than one purpose, such as security and decoration. |
| 37 | | 90 | |
| 38 | Material Shipment Center. An establishment primarily engaged in undertaking the transportation of goods from shippers to receivers for a charge covering the entire transportation route, and in turn, making use of services of other transportation establishments. | 91 | |
| 39 | | 92 | Natural Feature. A geologic formation, vegetative area or other feature of the landscape, which is protected by this chapter or state statute. |
| 40 | | 93 | |
| 41 | | 94 | |
| 42 | | 95 | |
| 43 | | 96 | Navigable Water. Lake Michigan, Green Bay and all natural inland lakes within Wisconsin, and all rivers, streams, ponds, sloughs, flowages, and other waters within the territorial limits of this state, including the Wisconsin portion of boundary waters, which are navigable under the laws of this state. |
| 44 | | 97 | |
| 45 | Mobile Home Park. A parcel of land which has been developed for the placement of mobile homes and is owned by an individual, firm, trust, partnership, public or private association, or corporation. Individual lots within a mobile home park are rented to individual mobile home users. | 98 | |
| 46 | | 99 | |
| 47 | | 100 | |
| 48 | | 101 | |
| 49 | | 102 | |
| 50 | | 103 | Neighborhood Food Store. A retail establishment of at least 3,000 square feet in area, but less than 25,000 square feet in area, where |
| 51 | | 104 | |
| 52 | Mobile Home. A vehicle designed to be towed as a single unit or in sections upon a highway | 105 | |
| 53 | | | |

VILLAGE OF SISTER BAY ZONING CODE

| | | | |
|----|--|-----|---|
| 1 | food products and related household prod- | 53 | surrounding the letters or symbols on the |
| 2 | ucts are sold. | 54 | sign that is either not lighted from within, |
| 3 | Non-conforming Lot. A lot, which does not con- | 55 | or it does not allow light from an internal |
| 4 | tain sufficient area and/or width to meet | 56 | source to shine through it. |
| 5 | the requirements of the zoning district in | 57 | Open Parking Facilities. Shall mean a parking fa- |
| 6 | which it is located. | 58 | cility without an overhead covering and |
| 7 | Non-conforming Uses or Structures. Any struc- | 59 | shall include the roof level of a multilevel |
| 8 | ture, land or water lawfully used, occupied | 60 | parking structure or ramp. |
| 9 | or erected before November 15, 1973 | 61 | Open Space. A permanently dedicated area of |
| 10 | which does not conform to the regulations | 62 | open, undeveloped land consisting of |
| 11 | of this chapter or amendments thereto. Any | 63 | open, undeveloped land consisting of |
| 12 | such structure conforming in respect to use | 64 | lawns, shrubs, trees or other natural vege- |
| 13 | but not in respect to frontage, width, | 65 | tation capable of absorbing storm water. |
| 14 | height, area, yard, parking, loading or dis- | 66 | Rain gardens, vegetated wet and dry deten- |
| 15 | tance requirements shall be considered a | 67 | tion basins and related vegetated drainage |
| 16 | non-conforming structure and not a non- | 68 | swales shall be considered open space. |
| 17 | conforming use. | | (Amended Ordinance 159-120809) |
| 18 | Non-Shielded or Non-Cutoff Lighting Fixtures. | 69 | Ordinary High-water Mark. The point on the bank |
| 19 | Shall mean all types of outdoor lighting fix- | 70 | or shore of a body of water up to which the |
| 20 | tures other than shielded or cutoff lighting | 71 | presence and action of surface water is so |
| 21 | fixtures and includes any lighting fixture | 72 | continuous as to leave a distinctive mark |
| 22 | that employs an adjustable bracket, | 73 | such as by erosion, destruction or preven- |
| 23 | refractorizing glassware or lenses, non- | 74 | tion of terrestrial vegetation, predominance |
| 24 | shielding lamp or light source and distrib- | 75 | of aquatic vegetation, or other easily rec- |
| 25 | utes light at any angle less than four de- | 76 | ognized characteristic. The ordinary high- |
| 26 | grees above horizontal. | 77 | water mark shall be established by a sur- |
| 27 | Non-Shielded or Non-Cutoff Luminaire: Outdoor | 78 | veyor. |
| 28 | luminaire, other than shielded or shutoff | 79 | Outdoor Canopy. Shall mean a freestanding roof |
| 29 | type, that employs an adjustable bracket, a | 80 | structure without side walls which may or |
| 30 | refractorizing glassware or lenses, a non- | 81 | may not be attached to the roof of an adja- |
| 31 | shielded lamp or light source, and distrib- | 82 | cent building and shall include but not be |
| 32 | utes light at any angle less than four de- | 83 | limited to canopies over gas stations or |
| 33 | grees above horizontal. | 84 | canopies at convenience stores. |
| 34 | Nuisance. Anything that interferes with the use or | 85 | Outdoor Light Output, Total: The maximum total |
| 35 | enjoyment of property, endangers personal | 86 | amount of light, measured in lumens, from |
| 36 | health or safety, or is offensive to the sens- | 87 | all outdoor luminaires. For lamp types that |
| 37 | es. | 88 | have their outputs vary with age (high- |
| 38 | Nursing Home. Any facility which provides 24 | 89 | pressure sodium, metal halide, fluores- |
| 39 | hour services, including room and board, | 90 | cent), use the initial output, as defined by |
| 40 | to three or more unrelated residents; who | 91 | the lamp manufacturer, for calculations. |
| 41 | because of their mental or physical condi- | 92 | Outdoor Lighting Fixtures. Shall mean lighting |
| 42 | tion require nursing care or personal care | 93 | sources, which are electrically powered il- |
| 43 | in excess of seven hours a week. | 94 | luminating devices, lighted or reflective |
| 44 | Obstruction to Flow. Any development, which | 95 | surface lamps and similar devices perma- |
| 45 | physically blocks the conveyance of | 96 | nently installed or portable used for illumi- |
| 46 | floodwaters such that this development by | 97 | nation or for advertisement. Such device |
| 47 | itself or in connection with any future simi- | 98 | shall include, but not be limited to search- |
| 48 | lar development will cause an increase in | 99 | lights, spotlights, floodlights, streetlights, |
| 49 | regional flood height. | 100 | sign lights, security lights, wall lights, and |
| 50 | Opaque: Material that does not transmit light | 101 | porch lights, area lights, parking lights and |
| 51 | from an internal illumination source. Ap- | 102 | sign panels. |
| 52 | plied to sign backgrounds, it is the area | 103 | Outdoor Luminaire: Lighting source which is an |
| | | 104 | electrically powered illuminating device, |
| | | 105 | lighted or reflective surface, lamp(s) and |

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- 1 similar devices, permanently installed or
2 portable used for illumination or for adver-
3 tisement. Such devices include, but not
4 limited to searchlights, spotlights, flood-
5 lights, streetlights, product display area
6 lights, security lights, wall lights, porch
7 lights, area lights, parking lot lights, and
8 billboards and other signs.
- 9 Outdoor Merchandising. Shall mean car sales
10 lots, equipment sales lot, retail gasoline
11 stations, garden centers and other similar
12 areas where products are permanently dis-
13 played or dispensed outdoors.
- 14 Parking Lot. An off-street, ground level area, usu-
15 ally surfaced and improved, for the tempo-
16 rary storage of motor vehicles. Parking lots
17 includes rows of parking spaces, the aisles
18 from which motor vehicles enter and leave
19 the spaces. Ingress and egress drives from
20 the parking lot to the public street are not
21 part of the parking lot.
- 22 Parking Space. An all-weather area not in a street
23 or alley right-of-way, exclusive of drive-
24 ways, permanently reserved for the tempo-
25 rary storage of one motor vehicle, and
26 connected with a street or alley by a
27 driveway which provides ingress and
28 egress for a motor vehicle without requir-
29 ing another vehicle to be moved.
- 30 Pier. Means any structure extending into naviga-
31 ble waters from the shore with water on
32 both sides, built or maintained for the pur-
33 pose of providing a berth for watercraft or
34 for loading or unloading cargo or passen-
35 gers onto or from watercraft. Such a struc-
36 ture may include a boat shelter, which is
37 removed seasonally. Such a structure may
38 include a boat hoist or boatlift, and the
39 hoist or lift may be permanent or may be
40 removed seasonally. The term "dock" shall
41 also mean pier.
- 42 Pier - Pre-existing. Means a pier that has been
43 placed in the riparian zone in the same
44 general location and with the same general
45 size and configuration during any of the
46 three years prior to the enactment of this
47 section is considered a pre-existing pier if it
48 is not extended or expanded after the
49 adoption of this section dated October 25,
50 2005. The seasonal removal of a pier does
51 not affect its status as a permissible pre-
52 existing pier if it is re-established in sub-
53 stantially the same form and same general
54 location.
- 55 Performance Standard. A criterion to control
56 noise, odor, smoke, toxic or noxious mat-
57 ter, vibration, fire and explosive hazards,
58 glare or heat, and lighting intensity or spill-
59 over generated by or inherent in uses of
60 land and buildings.
- 61 Person. Shall mean any individual, tenant, lessee,
62 owner operator or any public, private,
63 nonprofit or commercial entity including,
64 but not limited to, a firm, business, partner-
65 ship, joint venture, association, corpora-
66 tion, municipality, agency or governmental
67 agency.
- 68 Personal service. Exclusively indoor uses of which
69 their primary function is the provision of
70 nonprofessional services directly to an in-
71 dividual on a walk-in or on-appointment
72 basis. Examples include barbershops,
73 beauty shops, tanning salons and the like.
- 74 Petroleum Product. Any fuels (gasoline, diesel
75 fuel, kerosene and mixtures of these prod-
76 ucts), lubricating oils, motor oils, hydraulic
77 fluids and other similar products.
- 78 Planned Residential Unit Development. A form of
79 development characterized by a united site
80 design for a number of housing units, clus-
81 tering buildings and providing common
82 open space, density increases and a mix of
83 residential building types and residential
84 uses, having a minimum size of ten acres.
- 85 Potable Water. Any water that is satisfactory for
86 drinking, culinary and domestic purposes
87 meeting current State and Federal drinking
88 water standards.
- 89 Premises. A lot, parcel, tract or plot of land to-
90 gether with the buildings and structures
91 thereon.
- 92 Primary Containment. The first level of product
93 tight containment, i.e., the inside portion of
94 that container which comes into immedi-
95 ate contact on its inner surface with the
96 hazardous material being contained.
- 97 Primary Protection Zone. An area calculated as
98 the zone of influence characteristic to each
99 individual well supplying potable water to
100 any community water system.
- 101 Principal Use. See "Use, Principal."
- 102 Professional Home Offices. Residences of cler-
103 gymen, architects, landscape architects,
104 professional engineers, registered land sur-
105 veyors, lawyers, real estate agents, artists,

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- 1 teachers, authors, musicians, or persons in
2 other recognized professions used to con-
3 duct their professions where the office use
4 is incidental to the residential use of the
5 premises.
- 6 Public Utility. Any utility (gas, water, sewer, elec-
7 trical, telephone, cable television, etc.)
8 whether publicly owned or privately
9 owned.
- 10 Public welfare is the protection from nuisances,
11 economic interest, convenience, commu-
12 nity character and the vision expressed in
13 the Village's Smart Growth Plan. (Amend-
14 ed Ordinance 171-071310)
- 15 Publishing House. A facility where books, maga-
16 zines, periodicals, maps, etc. are printed
17 and issued.
- 18 Rear Setback. A line established on a parcel of
19 land for the purpose of identifying the
20 nearest point a principal or accessory
21 structure may be placed to a lot line or
22 right-of-way line. The minimum required
23 horizontal distance between the rear inter-
24 nal lot line and a line parallel thereto
25 through the nearest foundation wall of the
26 principal or accessory structure, excluding
27 overhangs, uncovered steps and stoops,
28 gutters and awnings. (See Illustration No.
29 12)
- 30 Rear Yard. A regulated area on a developed par-
31 cel of land. The yard area bounded by the
32 rear lot line, the side lot lines and the rear
33 foundation wall of the principal structure,
34 excluding overhangs, uncovered steps and
35 stoops, gutters and awnings. (See Illustration
36 No. 13)
- 37 Recharge Area. An area in which water reaches
38 the zone of saturation by surface infiltra-
39 tion and encompasses all areas or features
40 that supply groundwater recharge to a
41 well.
- 42 Recreational Vehicle. A vehicular, portable struc-
43 ture built on a chassis which can be self-
44 transported or by any motor vehicle and is
45 designated to be used as a temporary
46 dwelling for travel, recreation and vacation
47 use, which does not fall within the defini-
48 tion of a manufactured/mobile home.
- 49 Regulatory Agency. Any governmental agency
50 with jurisdiction over hazardous waste as
51 defined herein.
- 52 Residential Site: A single parcel in a residential
53 zone containing a residential structure with
54 one or more dwelling units with parking
55 areas for one or more cars.
- 56 Restaurant - General means an eating-place,
57 whether a principal use or accessory use,
58 selling a full line of prepared food and
59 drinks using non-disposable plates, glasses
60 and utensils for immediate consumption on
61 the site. The business provides tables and
62 chairs, table service, and is available to
63 persons of all ages. The use shall not ex-
64 hibit the characteristics of a drive-in, for-
65 mula or fast food establishment. Customers
66 shall be provided with individual menus
67 while seated at a table or counter. Food
68 sold for consumption off the premises shall
69 be incidental to the primary use. Such food
70 shall be placed in covered containers or
71 wrappings, and all house-brand labeled
72 food store goods such as vinegars, oils and
73 salad dressings shall be prepackaged and
74 sealed.
- 75 Restaurant - Drive-In means an eating place,
76 whether a principal use or accessory use,
77 which sells: (a) prepares food intended for
78 consumption in vehicles that may or may
79 not be parked on the site; or (b) provides
80 for the ordering of food while the custom-
81 ers are seated in vehicles.
- 82 Restaurant - Formula means an eating-place,
83 whether a principal use or accessory use,
84 that is one of a chain or group of three or
85 more establishments and which satisfies at
86 least two of the following three descrip-
87 tions:
- 88 (1) It has the same or similar name, brand,
89 trade name, or trademark as others in the
90 chain or group;
- 91 (2) It offers any of the following character-
92 istics in a style which is distinctive to and
93 standardized among the chain or group: (a)
94 Exterior design or architecture; (b) Uni-
95 forms, except that a personal identification
96 or simple logo will not render the clothing
97 a uniform; (c) Standardized menus, ingre-
98 dients, food preparation or food presenta-
99 tion format which causes it to be substan-
100 tially identical to another restaurant regard-
101 less of ownership or location.
- 102 (3) It is a fast food restaurant.
- 103 Restaurant - Fast Food means an eating-place,
104 whether a principal use or accessory use,
186

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- 1 selling food to be consumed on or off the
2 site and (a) food is quickly made upon the
3 customer's or-der or pre-made and
4 wrapped before customers place orders,
5 and/or (b) food is served with disposable
6 tableware for on-site food consumption. A
7 Fast Food restaurant also exhibits two or
8 more of the following characteristics: food
9 is ordered from a wall menu at a service
10 counter; food consumed on the premises is
11 ordered while customers are standing;
12 payment is made by customers before food
13 is consumed; the service counter is closer
14 to an entry/exit than is the seating/dining
15 area; the business interior is brightly illu-
16 minated (greater than 8 candle foot power
17 as measured in a horizontal plane three
18 feet above the floor).
- 19 Restaurant - Take-Out means an eating place,
20 whether a principal use or accessory use,
21 selling ready-to- eat, prepared snack food
22 and full meals for immediate consumption
23 off the site while patrons are walking or
24 standing in the public right-of-way or are
25 seated in vehicles.
- 26 Restaurant - Drive-up Window means a window
27 opening to the outdoors designed to fur-
28 nish food or beverages to motorists.
- 29 Restaurant - Walk-up Window means a window
30 opening to the outdoors designed to fur-
31 nish food or beverages to pedestrians.
- 32 Restaurant - Drive-through means a paved area
33 serving as a queuing or staging area for
34 motorist to receive food that they have or-
35 dered.
- 36 Right-of-way. A strip of land acquired by a public
37 entity and intended to accommodate a
38 specific public purpose or use.
- 39 Riparian Zone. Means the area of water adjacent
40 to a parcel of riparian land within which
41 the riparian owner may place structures.
42 The riparian zone is bounded by the land
43 and the line of navigation. The side
44 boundaries of the riparian zone are to be
45 determined consistent with Wisconsin
46 Administrative Code Section NR 326.07.
- 47 Roadside Stand. A farm building used or intended
48 to be used solely by the owner or tenant of
49 the farm on which such building is located
50 for the sale of farm products raised on such
51 farm.
- 52 Rummage Sale. The occasional sale of personal
53 property at a residence conducted by one
54 or more families in a neighborhood. Rum-
55 mage sales are also known as "garage
56 sales." Flea markets, defined elsewhere in
57 this section, are not rummage sales.
- 58 Sanitary Landfill. A disposal site where solid
59 wastes, including putrescible wastes, or
60 hazardous wastes, are disposed of on land
61 by placing earth cover thereon.
- 62 Seat and Seating. Furniture upon which to sit hav-
63 ing a linear measurement not less than 24
64 inches across the surface used for sitting.
- 65 Secondary Containment. The level of product
66 tight containment external to and separate
67 from the primary containment. Secondary
68 containment shall consist of leak-proof
69 trays under containers, floor curbing or
70 other containment systems and shall be an
71 adequate state-approved size and design to
72 handle all spills, leaks, overflows, specific
73 design and election of materials shall be
74 sufficient to preclude any substance loss.
75 Containment systems shall be sheltered so
76 that the intrusion of precipitation is effec-
77 tively prevented.
- 78 Setback. The minimum required horizontal dis-
79 tance between an internal lot line or the
80 street right-of-way and the regulated struc-
81 ture or item. (See also front setback, side
82 setback, and rear setback)
- 83 Setbacks from a Street. The minimum horizontal
84 distance from the centerline of a street or
85 private road to the nearest part of a struc-
86 ture, measured at right angles to the center-
87 line or right-of-way line.
- 88 Shielded or Cutoff Lighting Fixtures. Shall mean
89 outdoor lighting fixtures that utilize flat,
90 clear lenses with no refractorizing elements
91 and which operate in a horizontal position
92 with nonadjustable elements, which oper-
93 ate in a horizontal position with nonad-
94 justable mounting hardware or brackets.
95 Such fixtures distribute light by means of
96 an internal reflector only. The light source
97 is totally concealed by fixture housing of
98 an internal reflector only. The light source
99 is totally concealed by the fixture housing
100 when the position of observation is at an
101 angle less than fifteen degrees above hori-
102 zontal. No light is permitted at an angle
103 less than four degrees above horizontal.

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- 1 Shopping Center. A group of business establish-
2 ments planned, constructed and managed
3 as a total entity with ample customer and
4 employee parking provided on-site, with
5 provision for goods delivery separated from
6 customer access, and with aesthetic con-
7 siderations and protection from the ele-
8 ments.
- 9 Shorelands. Those lands lying within the follow-
10 ing distances from the ordinary high-water
11 mark of navigable waters: 1,000 feet from
12 a lake, pond or flowage; and 300 feet from
13 a river or stream; or to the landward side of
14 the floodplain, whichever distance is
15 greater. Shorelands shall not include those
16 lands adjacent to farm drainage ditches
17 where (a) such lands are not adjacent to a
18 navigable stream or river; (b) those parts of
19 such drainage ditches adjacent to such
20 lands were non- navigable streams before
21 ditching or had no previous stream history;
22 and (c) such lands are maintained in non-
23 structural agricultural use. (See Illustration
24 No. 14)
- 25 Side Setback. A line established on a parcel of
26 land for the purpose of identifying the
27 nearest point a principal or accessory
28 structure may be placed to a lot line or
29 right-of-way line. The minimum required
30 horizontal distance between the side inter-
31 nal lot line and a line parallel thereto
32 through the nearest foundation wall of the
33 principal or accessory structure, excluding
34 overhangs, uncovered steps and stoops,
35 gutters and awnings. (See Illustration No.
36 15)
- 37 Side Yard. A regulated area on a developed par-
38 cel of land. The yard area bounded by the
39 side lot line, the side foundation wall of the
40 principal structure, excluding uncovered
41 steps and stoops, gutters and awnings, the
42 front yard and the rear yard. (See Illustra-
43 tion No. 16)
- 44 Sign Copy. The message or advertisement, and
45 any other symbols on the face of a sign.
- 46 Sign Face. The area or display surface used for the
47 message.
- 48 Sign, Abandoned. Any sign, which has been dis-
49 continued for a period of 12 consecutive
50 months, which sign, advertises or identifies
51 an activity that has been discontinued for
52 12 consecutive months, shall be consid-
53 ered abandoned.
- 54 Sign, Awning. A sign that is mounted or painted
55 on, or attached to an awning, canopy or
56 marquee. (See Illustration No. 66)
- 57 Sign, Bulletin. A sign which directs attention to
58 municipal, civic, educational, religious or
59 other nonprofit organizational buildings or
60 activities; that is located or to be located
61 upon the premises where the sign is locat-
62 ed or is located upon a premises other than
63 where the sign is located.
- 64 Sign, Directional. A sign that does not advertise,
65 but merely draws attention to a business or
66 development by indicating, no more than,
67 the direction and distance it is from the
68 sign.
- 69 Sign, Externally Illuminated: A sign illuminated by
70 light sources from the outside.
- 71 Sign, Ground. Any sign placed upon a pole or
72 other support independent of any other
73 structure, where the sign height does not
74 exceed 10 feet. (See Illustration No. 21)
- 75 Sign, Internally Illuminated: A sign illuminated by
76 light sources enclosed entirely within the
77 sign cabinet and not directly visible from
78 outside the sign.
- 79 Sign, Neon: A sign with luminous gas-filled tubes
80 formed into text, symbols, or decorative el-
81 ements and directly visible from outside
82 the sign cabinet.
- 83 Sign, Off Premise. A sign, which directs attention
84 to a business, commodity, service or enter-
85 tainment, conducted, sold or offered at a
86 location other than the premises on which
87 the sign is located.
- 88 Sign, Pole. A sign that is mounted on a freestand-
89 ing pole or other support so that the bot-
90 tom of the sign is 12 feet or more above
91 grade. (See Illustration No. 28)
- 92 Sign, Portable. A sign that is not permanently af-
93 fixed to a building, structure, or to the
94 ground. Such sign is sometimes mounted
95 on wheels to make it transportable. (See Il-
96 lustration No. 29)
- 97 Sign, Projecting. A sign that is wholly or partly
98 dependent upon a building for support and
99 which projects more than 12 inches from
100 such building. (See Illustration No. 30)
- 101 Sign, Roof. A sign that is mounted on the roof of a
102 building or which is wholly dependent up-
103 on a building for support and which pro-
104 jects above the point of a building with a

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- 1 flat roof, the eave line of a building with a
2 gambrel, gable, or hip roof, or the deck
3 line of a building with a mansard roof. (See
4 Illustration No. 33)
- 5 Sign, Wall. A sign fastened to or painted on the
6 wall of a building or structure in such a
7 manner that the wall becomes the support-
8 ing structure for, or forms the background
9 surface of the sign and which does not pro-
10 ject more than 12 inches from such build-
11 ing or structure. (See Illustration No. 36)
- 12 Sign, Window. Wording or advertising that is ap-
13 plied or attached to the interior of a win-
14 dower or located in such manner within the
15 building that it can readily be seen from
16 the exterior of the building through a win-
17 dower. (See Illustration No. 38)
- 18 Sign. Any medium, including sign face, words,
19 letters, figures, numerals, phrases, sentenc-
20 es, emblems, devices, designs, trade
21 names, or trademarks by which anything is
22 made known and which are used to adver-
23 tise or promote an individual, firm, asso-
24 ciation, corporation, profession, business,
25 commodity, or product and which is visi-
26 ble from any public street or highway.
- 27 Spot Lamp: A specific lamp form designed to di-
28 rect its output in a specific direction (a
29 beam) and with a clear or nearly clear
30 glass envelope. Such lamps are so desig-
31 nated by the manufacturers and are typi-
32 cally used in residential outdoor area light-
33 ing.
- 34 Story. That part of a building included between
35 the surface of a floor and the surface of the
36 floor next above it, or, if there is no floor
37 above it, then the space between the floor
38 and the ceiling next above it.
- 39 Stream Reach. A longitudinal segment of a stream
40 generally including those flood lands
41 wherein flood stages are primarily and
42 commonly controlled by the same manu-
43 factured or natural obstructions to flow.
44 (See Illustration No. 7)
- 45 Street Setback. A line established on a parcel of
46 land for the purpose of identifying the
47 nearest point a principal or accessory
48 structure may be placed to a lot line or
49 right-of-way line. The minimum required
50 horizontal distance between the right-of-
51 way line of the second street of a corner lot
52 and a line parallel thereto through the
53 nearest foundation wall of the principal or
54 accessory structure, excluding overhang,
55 uncovered steps and stoops, gutters and
56 awnings. (See Illustration No. 39)
- 57 Street Yard. A regulated area on a developed par-
58 cel of land. The yard area bounded by the
59 second street right-of-way of a corner lot,
60 the front yard, the foundation wall of the
61 principal structure and the lot line opposite
62 the front lot line. (See Illustration No. 40)
- 63 Street, Private. A roadway created by an easement
64 for use only by the abutting property own-
65 ers, which is not dedicated to the Village.
- 66 Street. A public right-of-way not less than 50 feet
67 wide providing primary vehicular access to
68 abutting properties.
- 69 Strip Shopping Center. A complex of buildings
70 containing business development located
71 on property along one or both sides of a
72 street that is generally one lot in depth and
73 is has multiple and relatively closely
74 spaced driveways, low open space and
75 landscaping ratios, and high floor area ra-
76 tios.
- 77 Structural Alterations. Any change in the support-
78 ing members of a structure, such as found-
79 ations, bearing walls, columns, beams, or
80 girders.
- 81 Structure, Accessory. A structure or portion of a
82 structure used for a purpose customarily
83 incidental to a permitted principal use of a
84 lot and located on the same lot as the prin-
85 cipal use.
- 86 Structure, Permanent. A structure placed on or in
87 the ground or attached to another structure
88 in a fixed position, and intended to remain
89 in place for a period of more than nine
90 months.
- 91 Structure, Principal. The building or structure
92 containing the primary use of a property.
- 93 Structure, Temporary. A structure placed on or in
94 the ground or attached to another structure
95 in a fixed position and intended to remain
96 in place for a period not to exceed nine
97 months.
- 98 Structure. Anything erected or constructed, such
99 as buildings, prefabricated or pre-built
100 buildings, towers, masts, poles, booms,
101 signs and carports. Appurtenances con-
102 structed at or below grade such as patios,
103 driveways, or sidewalks are not considered
104 to be structures.

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- 1 Subordinate. Means all components of the facility, in total occupy less street frontage than the primary commercial or public institutional building. (*Amended Ordinance 217-081313*)
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- 6 Sustained Yield Forestry. Management of forested lands to provide annual or periodic crops of forest products.
- 7
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- 9 Swimming Pool. An outdoor structure containing a body of water in a receptacle or other container having a depth for water of 18 inches or more with a minimum surface of 48 square feet, located above or below the surface of ground elevation and includes all structural facilities, appliances, appurtenances, equipment and other items used and intended to be used for the operation and maintenance of a pool.
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- 19 Temporary Lighting: Non-conforming lighting, not used from more than one 30 day period within a calendar year, with one 30 day extension. Temporary lighting is intended for uses, which by their nature are of limited duration. For example: Holiday decorations, civic events or construction projects.
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- 27 Temporary. A period defined as no more than 45 days in a calendar year unless a shorter period is specified in the section.
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- 30 Tower. A structure that is intended to support equipment used to receive and/or transmit electromagnetic waves. Design examples of towers include (a) self-supporting lattice, (b) guyed and (c) monopole.
- 31
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- 35 Translucent: The permitting of light to pass through but diffusing it so that persons, objects, etc., on the opposite side are not clearly visible.
- 36
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- 39 Truck Sales and Service. See "Commercial Vehicle Sales and Service."
- 40
- 41 Turning Lane. An existing or proposed connecting roadway between two arterial streets or between an arterial street and any other street. Turning lanes include grade separated interchange ramps.
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- 46 Uniformity Ratio: Ratio between the average illumination and the minimum illumination as determined by measurements taken on a four-foot grid throughout the lighted area.
- 47
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49
- 50 Unnecessary Hardship. The circumstance where special conditions, which were not self-
- 51
- 52 created, affect a particular property and make strict conformity with the restrictions governing dimensional standards (such as lot area, lot width, setbacks, yard requirements, or building height) unnecessarily burdensome or unreasonable in light of the purpose of this chapter.
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- 59 Use, Abandonment of: The relinquishment of a property, or the cessation of a use or activity by the Owner or Tenant for a period of twelve months, excluding temporary, short-term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility. A use shall be deemed abandoned when such use is suspended as evidenced by the cessation of activities or conditions constituting the principle use of the property.
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- 70 Use, Accessory. A use customarily incidental to the principal use and on the same lot as the principal use. In buildings, customary family occupations and workshops not conducted for compensation shall be deemed accessory uses.
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- 76 Use, Conditional. A use, which, because of its unique characteristics and impact upon the environment, cannot be properly classified as a permitted use.
- 77
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- 80 Use, Principal. The main use of land, or land and buildings in combination, as distinguished from a secondary or accessory building, including, but not limited to, a house in a residential district, a store in a business district, or crops or farm buildings in an agricultural district. Within the zoning districts in this chapter, the principal use is also referred to as the "permitted use."
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- 89 Use. The purpose or activity for which the land or building thereon is designed, arranged, or intended, or for which it is occupied or maintained.
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- 93 Utilities. Public and private facilities such as water wells, water and sewage pumping stations, water storage tanks, power and communication transmission lines, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, municipal warehouses, municipal shops, and municipal storage yards.
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VILLAGE OF SISTER BAY ZONING CODE

- 1 Variance. An authorization granted by the Zoning
2 Board of Appeals to construct or alter a
3 building or structure in a manner that devi-
4 ates from the dimensional standards of this
5 chapter. A variance may not permit the use
6 of a property that is otherwise prohibited
7 by this chapter or allow floodland con-
8 struction that is not protected to the flood
9 protection elevation.
- 10 Vision Clearance Triangle. A triangular shaped
11 portion of land established at street inter-
12 sections in which nothing is erected,
13 placed, planted, or allowed to grow in
14 such a manner as to limit or obstruct the
15 sight distance of motorists entering or leav-
16 ing the intersection. (See Illustration No. 1
17 and 2)
- 18 Well. Any excavation that is drilled, cored, bored,
19 washed, driven, dug, jetted, or otherwise
20 constructed when the intended use of such
21 excavation is to conduct groundwater from
22 an aquifer system to the surface by pump-
23 ing or natural flow, or to monitor the char-
24 acteristics of groundwater within an aquifer
25 system.
- 26 Wellhead Protection area. The surface or subsur-
27 face area surrounding a water well or well
28 field, supplying a public water system, an
29 area through which contaminants are rea-
30 sonably likely to move toward and reach
31 such water well or well field.
- 32 Wellhead. The upper terminal of a well, including
33 adapters, ports, seals, valves, and other at-
34 tachments.
- 35 Wetland. An area where water is at, near, or
36 above the land surface long enough to be
37 capable of supporting aquatic or
38 hydrophytic vegetation and which has soils
39 indicative of wet conditions.
- 40 Wireless Telecommunication Services. Licensed
41 wireless telecommunication services in-
42 cluding, but not necessarily limited to, cel-
43 lular, personal communication services
44 (PCS), specialized mobilized radio (SMR),
45 enhanced specialized mobilized radio
46 (ESMR), paging and similar services that
47 are marketed to the general public.
- 48 Wireless Telecommunication Site. A facility oper-
49 ated by a licensed wireless telecommuni-
50 cation service provider, which consists of
51 the equipment and structures involved in
52 receiving or transmitting electromagnetic
- 53 waves associated with wireless telecom-
54 munication services.
- 55 Woodland. An area of wooded land at least one
56 acre in size and containing deciduous or
57 coniferous trees; that, at least 50 percent of
58 which are either 20 feet or more in height
59 or have a trunk diameter, six inches above
60 the ground, of at least four inches.
- 61 Yard, Corner Side. Means a side yard, which fac-
62 es a public or private street.
- 63 Yard, Front. A yard extending the full width of the
64 lot on which a building is located and situ-
65 ated between the front lot line and a line
66 parallel thereto and passing through the
67 nearest point of the building.
- 68 Yard, Interior Side. A side yard located immedi-
69 ately adjacent to another lot or to an alley
70 separating such side yard from another lot.
- 71 Yard, Rear. A yard extending the full width of the
72 lot on which a building is located and situ-
73 ated between the rear lot line and a line
74 parallel thereto and passing through the
75 nearest point of the building.
- 76 Yard, Side. A yard on the same lot as a building
77 situated between the side lot line and a
78 line parallel thereto, passing through the
79 nearest point of a building and extending
80 from the front yard to the rear.
- 81 Yard. An open space on the same lot with a struc-
82 ture, unoccupied and unobstructed from
83 the ground upward except the vegetation.
84 Front yards and rear yards extend the full
85 width of the lot. (Also, see "Front Yard,"
86 "Rear Yard," "Side Yard," and "Setback")
- 87 Zone of Contribution. The land area over which
88 water can infiltrate and move toward the
89 well.
- 90 Zone of Influence. The land area above the cone
91 of depression that results after thirty days of
92 continuous pumping of a well.
- 93 Zoning Map. The map showing the location and
94 boundaries of the zoning districts estab-
95 lished by this chapter.
- 96
- 97
- 98

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VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.4200 ILLUSTRATIONS

SEC. 66.4200 ILLUSTRATIONS

SECTION 4000 – ARCHITECTURAL GUIDE

1 Sec. 66.4200 Illustrations

| Sister Bay Commercial Architectural Style Guide | | |
|--|---|---|
| In general, the architectural style would be categorized as “Turn of the Century” with Scandinavian, Swedish and German themes. See Section 66.1050 for the detailed requirements. | | |
| Windows: Grilled |  <p>Figure 1</p> |  <p>Figure 2</p> |
| Doors: Double entrance Recessed entrance |  <p>Figure 3</p> | |
| Exterior Colors: Contrasting trim |  <p>Figure 4</p> |  <p>Figure 5</p> |

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.4200 ILLUSTRATIONS

SEC. 66.4200 ILLUSTRATIONS

Trim and Moldings:

Decorative
Detailed



Figure 6



Figure 7



Figure 8

Shutters:



Figure 9



Figure 10

Siding:

Stone
Cedar shakes
Cedar siding
Cement board
Hardy plank



Figure 11



Figure 12

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.4200 ILLUSTRATIONS

SEC. 66.4200 ILLUSTRATIONS



Figure 13



Figure 14

Landscaping:
No bare lawn
Benches, patios
Shrubs, trees
Flowers



Figure 15



Figure 16

VILLAGE OF SISTER BAY ZONING CODE

SEC. 66.4200 ILLUSTRATIONS

SEC. 66.4200 ILLUSTRATIONS

Corner Lot Buildings:
Cut-outs



Figure 17

Other amenities:
Flower boxes below windows
Porches
Verandas
Windows walk
Enclosed porch
Balconies
Awnings



Figure 18



Figure 19



Figure 20



Figure 21

VILLAGE OF SISTER BAY ZONING CODE

SECTION 4200 – SANDWICH BOARD GUIDE

1 Sec. 66.4200 Illustrations

Examples of Unacceptable Designs

Unacceptable Designs:

Figures 1 through 5 represent examples of sandwich board signs that the Plan Commission has deemed unacceptable. The reasons include plain letters on a completely white background sign-board, unchanging messages and lack of character.



Figure 22



Figure 2



Figure 3



Figure 4



Figure 5

VILLAGE OF SISTER BAY ZONING CODE

MAP TEXT AND ADMENDMENTS

MAP TEXT AND AMENDMENTS

Examples of Acceptable Designs

Acceptable Designs:

Figures 6 through 16 represent examples of sandwich boards that the Plan Commission feels are acceptable. The shape of each board is unique or different enough to create an eye-catching message. Even though some of the figures do not contain changeable messages they are included because of the shape of the board, the colors and fonts used to create visual appeal.



Figure 6



Figure 7



Figure 8



Figure 9



Figure 10

VILLAGE OF SISTER BAY ZONING CODE

MAP TEXT AND ADMENDMENTS

MAP TEXT AND AMENDMENTS

Examples of Acceptable Designs



Figure 11



Figure 12



Figure 13



Figure 14



Figure 15



Figure 16

VILLAGE OF SISTER BAY ZONING CODE

MAP TEXT AND ADMENDMENTS

MAP TEXT AND AMENDMENTS

SECTION 4300 - APPENDIX OF ZONING ILLUSTRATIONS

1 **Sec. 66.4300 Illustrations**

2

3 Illustration #1

4

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